

F

23

.R56



Class F23
Book, R56





108

COLONEL ALEXANDER RIGBY:

A SKETCH OF HIS CAREER AND CONNECTION WITH MAINE AS

PROPRIETOR OF THE PLOUGH PATENT AND PRESIDENT
OF THE PROVINCE OF LYGONIA.

BY

CHARLES EDWARD BANKS, M. D. (Dart.),

Passed Asst. Surg., U. S. Marine Hospital Service.

(Reprint from the Maine Historical and Genealogical Recorder.)

1885.

PRIVATELY PRINTED.





Alex. Rigby
Esq.

COLONEL ALEXANDER RIGBY, M.P.,
BARON OF THE EXCHEQUER.

From a miniature in the possession of Towneley Rigby Knowles, Esq.,
of Pau, Basses-Pyrenees, France.

COLONEL ALEXANDER RIGBY:

A SKETCH OF HIS CAREER AND CONNECTION WITH MAINE AS

235
103

PROPRIETOR OF THE PLOUGH PATENT AND PRESIDENT
OF THE PROVINCE OF LYGONIA.

BY

CHARLES EDWARD BANKS, M.D. (Dart.),

Passed Assistant Surgeon, U. S. Marine Hospital Service.



1885.

PRIVATELY PRINTED.

F2c
.R56

Fifty copies printed, of which this is No. 37.

W. S. Banks

PRESS OF B. THURSTON & COMPANY,
PORTLAND, ME.

COLONEL ALEXANDER RIGBY:

A Sketch of his career and connection with Maine as

PROPRIETOR of the PLOUGH PATENT and PRESIDENT of the PROVINCE of LYGONIA.

BY CHARLES EDWARD BANKS, M. D.

I. ALEXANDER RIGBY.

Great on the bench, great in the saddle,
That could as well bind o'er, as swaddle.

Hudibras, I. i. 23-24.

ALEXANDER RIGBY, one of the most notable persons in Lancashire during the civil war, was a man of active, daring, and versatile character, who was brought into notice at that crisis. He was lawyer, justice of peace, legislator, committee-man, colonel, judge of assize, and president of a colony during an active public career of less than ten years. He belonged to the Rigby family of Wigan, descended from Adam Rigby of that town, and Alice Middleton of Leighton. Their two sons were—John of Wigan (who married a cadet of the Molyneux family of Hawksley), and Alexander of Burgh (in the township of Duxbury, parish of Standish), the ancestor of the Rigbys of that place, a family much

devoted to the Earls of Derby, and on the side of the royalists in the civil war. Of the sons of John of Wigan the most notable was Alexander (father of the subject of this article) of the same town, who seems to have accumulated property in various places, including an estate in Goosnargh, called Middleton Hall.¹ Alexander, whose name frequently appears in public documents, married Alice, daughter of Leonard Asshawe or Asshal, Esq., of Shaw Hall, an old mansion yet standing between Flixton and Stretford.² Alexander, his eldest son and heir, was born 1594, and received a liberal education, probably at the Wigan school, which served as the foundation of his legal knowledge, obtained later as a bencher at Gray's Inn, to which he was admitted 1 November, 1610.

Rigby became connected with several families of consequence in the two counties of Lancaster and Cheshire. About 1619 he married Lucy, second daughter of Sir Urian Legh of Adlington, Cheshire; and when that knight died in 1627 the herald recorded³ at the funeral on 6 July that four children were the issue of the marriage, viz.: Alexander, Urian, Edward, and Lucy.³ Alexander was born in 1619. Urian was baptized at Eccleston, where Adam

¹ Middleton Hall is a solitary farm in the township of Goosnargh, situate about seven to eight miles north of Preston, about three miles east of the Preston and Lancaster turnpike-road, and about a mile northwest from Goosnargh church. The history of this place is told in Fishwick's *Goosnargh*, pp. 141 *seq.* The present hall is a most substantial structure of brick and stone, built probably about the end of the last or beginning of the present century. It is more pretentious than the ordinary farm-house of the neighborhood, but lacks that ornamentation of grounds which it deserves, and may at one time have possessed. The oldest part of the existing premises is the barn, which is a century or more older than the present house, and has the reputation of containing as many loopholes for ventilation as there are days in the year, a spot very unlike the abode of an iron-heeled warrior, a prating politician, and a grabbing lawyer of the days of the Commonwealth.—*Palatine Note Book*, III. 198.

² His will, as Alex. Rigby de Wigan, is dated 11 April, 1621, and it was proved 26 April, 1632. The testator directs his body to be buried in the parish church of Wigan; and he leaves his son Alexander his heir.

³ Funeral Certificates, 126.

Rigby his uncle was beneficed, 2 Feb. 1621-2; and Edward was baptized at Preston 15 April, 1627.

Shortly before the civil war Alexander Rigby was living in the neighborhood of Rigby, or Ribby, a hamlet in the parish of Kirkham, where he had property; and as one of the "sworn men" of that town, he took part in parochial matters, but no events of importance in his career are worthy of record until later, when he came into public notice on the calling of the Short Parliament, when he was returned for Wigan, April, 1640, being styled an Esquire "of Rigby in Amounderness." His colleague was Orlando Bridgeman, son of the Bishop of Chester.⁴ There were then 293 burgesses on the roll, and a keen contest took place on Monday, 26 Oct.; 112 votes were polled for Bridgeman, 104 for Rigby, and 72 for Mr. Robert Gardner.⁵ Parliament met on 3 November; and the member for Wigan was not long in coming to the front. On 10 November he declared in the house that a letter had been discovered in which the Roman Catholics were required to fast for the support of the queen's "pious intentions," viz., that her husband might return safely from the war with the Scots.⁶ On the 17th he was one of a committee to inquire into a monopoly. On 1 December he was added to the committee for recusants. Two days later he was placed on the committee to take into consideration the petitions of Prynne, Burton, etc.; Calvin Bruen and Peter Leigh and — Golborne of Chester; and to consider the abuses in the High Commission Courts of Canterbury and York in connection with the visit of Prynne to Chester, and the punishment of his sympathizers in that city. On 16 December Rigby was one of the committee

⁴ These two lawyers were likewise candidates for the same borough on the summoning of the Long Parliament.

⁵ Sinclair, *History of Wigan*, i. 226.

⁶ Gardiner, *Fall of the Monarchy of Charles First*, ii. 19.

who prepared the votes on the Canons of the Convocation of 1640; and on the following day he was put on another committee to inquire into some abuses in Emmanuel College, Cambridge. He was indeed one of the most active of the committee-men.

His reputation with his party was raised by his action in the debate concerning the Lord Keeper Finch, who was chiefly obnoxious on account of the support he had given to ship-money. On 21 December the House, at Finch's request, gave leave that he should be heard. The occasion was memorable. A chair (the *Journals*, vol. ij, page 55, tell us) was set for him to make use of if he pleased, and a stool to lay the purse upon a little on this side the bar, on the left hand as you come in. He himself brought in the purse and laid it on the chair, but would not sit down himself nor put on his hat, though he was moved to it by Mr. Speaker, but spake all the while bareheaded and standing; the serjeant-at-arms standing by him, with the mace on his shoulder. He pleaded eloquently for his life and fortune. "I do profess in the presence of him who knoweth all hearts, that I had rather go from door to door and crave *Da obolum Belizario*, etc., with the good opinion of this assembly, than live and enjoy all honour and fortune under your displeasure." When Finch retired Rigby rose, and made a speech which showed his readiness in debate. "Had not this syren," he said, "so sweet a tongue, surely he could never have effected so much mischief to this kingdom." Touching mercy, for which Finch had pleaded, the speaker argued that there was a cruel mercy. "The spirit of God said, *Be not pitiful in judgment*; nay, it saith, *Be not pitiful of the poor in judgment*. If not of the poor, then, *a latiori*, not of the *rich*; there's the emphasis. We see by the set and solemn appointments of our Courts of Justice what provision the wisdom of our Ancestors hath made for the preservation, honour, and esteem of Justice: Witness

our frequent Terms, Sessions, and Assizes; and in what pomp and state the Judges in their Circuits, by the Sheriffs, Knights, and Justices and all the country, are attended,—ofttimes for the hanging of a poor Thief for the stealing of a hog or sheep—nay, in some cases for the stealing of a peny, and Justice, too, *in terrorem*. And now shall not some of them be hanged that have robbed us of all our propriety [property], and shear'd us at once of all our Sheep, and all we have away, and would have made us all indeed poor Belizarios—to have begged for Half-penies, when they would not have left us one peny that we could have called our own?"⁷ The feeling roused by these and other speeches was so strong that Finch thought it prudent the same day to quit the woolsack, surrender the seal, and embark for Holland.

Rigby's speech was widely dispersed in manuscript, and it is now found in many collections.⁸

The zealous Wigan member frequently traveled between Lancashire and London, and being a man of marvelous activity, he sometimes seems to have been in both places at once. It is, perhaps, as a justice of peace that at Wigan he attached his signature to some "orders" made 23 November, 1641, by Lord Strange and his deputy-lieutenants and the justices in reference to the trained bands and their ammunition.⁹ The name of "Mr. Alexander Rigby, of Preston," was on 24 March, 1641-2, added by parliament to the list of the deputy-lieutenants of Lancashire, along with Sir George Booth, Mr. John Moore (M. P. for Liverpool, whose wife was a Rigby), and Sir Thomas Stanley.¹⁰ At this time Rigby had sufficient influence

⁷ Rushworth, Collections, iii (i), 129.

⁸ Harl. MSS. 813, 7, 162; Lansd., 493; Lord Leconfield's lib., VI. Rept. Hist. MSS., 306 b. It was twice printed in 1641 (4to, no place).

⁹ Farington Papers, 75. ¹⁰ Journals, House of Commons, ii. 495; Civil War Tracts, 2.

to cause the removal of Lord Strange as Lord Lieutenant of Lancashire, and to have Lord Wharton appointed in his place.¹¹

On 9 June, 1642, Rigby was sent to Lancashire with three other members, viz., Mr. Ralph Ashton (M. P. for the county), Mr. Richard Shuttleworth (Clitheroe), and Mr. John Moore, all deputy-lieutenants, to see the ordinance of the militia put in execution in the county. The lawyer himself was appointed to draw up the instructions for the Commissioners.¹²

When Rigby and Shuttleworth arrived in Lancashire they learned that the High Sheriff, Sir John Girlington, had summoned a meeting on Preston Moor, on 20 June, to hear the king's answer to the Lancashire petition, and two other declarations; and on their way to Preston they dissuaded persons from going thither. Lord Strange and his adherents and about 5000 persons assembled on the moor. Rigby and his friends urged the sheriff to forbear reading the documents. Some wrangling ensued, and the assembly was gathered into two groups; and when those for the king had left, Rigby read the parliamentary declarations to those that remained. Rigby surveyed the crowds with a keen eye, and he wrote a letter to the speaker from Preston, with a postscript dated Manchester, 24 June, 1642, describing the circumstances and giving the names of the local gentry, chiefly his neighbors, who were most active in encouraging the sheriff. He was back again in his own neighborhood directly after, whence he was summoned in haste to meet the rest of the committee at Manchester on Monday, 4 July. His reply, stating that he would come, was seized by Sir Gilbert Houghton at Walton, who on Sunday sent for Rigby. On Rigby's arrival Houghton told him he had a commission from the king to break open all such letters. "Master Rigby asked him if he had taken

¹ Memoir of James, Earl of Derby, lxxiv.

¹² Journals, House of Commons, ii. 619.

the Protestation, and he told him he had. Then he demanded the letter of him in the name of all the Commons of England; and further told him if he broke it open, it might be he might be the first man that should be made an example in Lancashire. And then he delivered him his letter unbroken up, and intreated him to stay and dine with him, which he did." Rigby attended the meeting at Manchester as arranged, and remained in the town several days assisting in training the militia; and then he dropped out of notice for a time in Lancashire. His name does not occur in connection with the defence of Manchester when besieged by Lord Strange at the end of September. He left his Lancashire colleagues, indeed, to advance their cause in the House of Commons, putting aside his *arma* and donning his *toga*.

For several months Rigby was unremitting in his attention to public business; and it is to be inferred from the important matters committed to his care, as well as to the prominence given to his name, that he was one of the most trusted members of the House. He was an important member of the Committee, appointed 29 Sept., 1642, for enlisting and maintaining 1000 "dragooners" for service in Lancashire, and other Lancashire members were associated with him. This body of men was raised in a month, and sent to Lancashire under Seaton's command. On the 10 October news of the 7th and 8th was brought from Manchester to the house about the siege of Manchester and the flight of Lord Derby to his house at Lathom. The same letter said "that the Milnes of the Town belonging to the Free School were in lease to one Prestwich a Malignant; that his Lease was ready to expire; and that the feoffees were Malignants." Thereupon Mr. Rigby and Mr. White were appointed to prepare an order concerning the sequestration of the Rents and revenues of the School, which were subsequently sequestered into the hands of Rd.

Holland and Peter Egerton to be employed for the use of the School.¹³

The author of the *Discourse of the Warr in Lancashire*, Major Edward Robinson, who himself served under Rigby, states (page 10) that after the siege of Manchester was raised colonels were appointed for every hundred in the county, and that Alexander Rigby was appointed for Leyland and Amounderness, and Mr. Moore and Peter Egerton for West Derby. Our lawyer-colonel was subsequently made one of the commissioners for executing martial law.

On 1 April, 1643, by ordinance of Parliament, Rigby became a member of the Lancashire Committee for sequestrating "notorious Delinquent's Estates." His associates were Shuttleworth, Moore, and Egerton.¹⁴ Mrs. Werden, of Farrington, addressed this committee about preserving some of the heirlooms of her house, the property having been sequestered. Rigby's answer, dated 30 October, 1643, is preserved, and illustrates his stern character.¹⁵ On 1 May, 1643, he was appointed a commissioner for levying money for the relief of the commonwealth, by taxing such as had not at all contributed, or contributed according to their ability.¹⁶ Another ordinance created him a member of a committee for providing money for the maintenance of the army raised by Parliament and other great affairs, by a weekly assessment, beginning 3 August, 1643, of which the share of Lancashire was £500 per month.¹⁷

Before midsummer of this year, "Mr. Alexander Rigbie, of Preston, lawier, a Parliament man, came down into the Country with Commission from the Parliament to be Colonell, to raise Forces, to put the Hundreds of Laylond and Amonderness into a posture of

¹³ Journals, House of Commons, ii. 806.

¹⁴ Husband, Collections, 13; Civil War Tracts, 90. ¹⁵ Farrington Papers, 96, 98, 99.

¹⁶ Husband, Collections, 169. ¹⁷ Ibid, 4, 5, 9.

Warr, which he was diligent to do within a little tyme." "And before July Colonell Rigbie began to shew himself to bee a warrior," continues the narrator, who accompanied the expedition; "for hee undertook the reducing of Sir John Girlington's castle at Thurlum [Thurland, near Tunstall, Lancashire, the King's last remaining stronghold in those parts], in which was Sir John, his wiffe, and many desperat Caviliers, having strongly fortified it with provision out of the country, as alsoe Ammunition. The Colonell, for this undertaking, had forces from Salford and Blackburne Hundreds, having companies newly raised within Preston, and some peeces of Ordenance. He about the begining of August marched his armie thither, setting them downe about it. The maine body of his foote or his mayne guard was at the house of Mr. Cansfield, about half a mile from the Castle. It was moited [moated] about so that it could not be come to. He planted his Ordenance on the East side of the Castle, in a very fair plot betwixt Cansfield and it. They plaid oft against it with litle execution. It was strong. . . . The Colonell himself did lye at Hornby Castle, and came every day to the leagers. . . . At last they had a strong allarum out of Cumberland [28 Sept., 1643], for Colonel Huddleston of Millame Castle [with Roger Kirby and Alexander Rigby de Burgh at the head of the Lancashire royalists] had raised forces, and was marching to raise the siege. But Colonell Rigbie, having intelligence of their marching against him, thought it not the saffest way to let them come upon him, but rather to prevent them and meet them on their way, and to that end drew from the Leguer as many forces as could be spared of keeping the castle in. And with the rest marched to meet the Enimie as far as Daulton [in Furness]. And there encountiring with them God was pleased to give him the better soe that the enemy fled [1 Oct.]. And in the pursuit Col. Huddleston

himself was taken with some others of quality, and four or five ensignes or cullers of brave silk were taken with some [400] common souldiers. Then the Col. returned Victor to the Leaguer againe with his enimie his prisoner. . . . Within a short space the Castle was yealdid up. . . . Colonell Rigbie returned to Preston in Triumph. Thus he being much heartened and encouraged by this Victory and delivery of the Castle that he laboured much to putt the country in a posture of Warr making choyse of such men to be Captaines under him [in Amounderness and Leyland] as he did especially confide in. . . . In Gosnarg Mr. Alexander Rigbie, the Colonell's son, was Lieutenant Colonell under his Father, and raised a Companie within Goosnarg." ¹⁸

Thurland was besieged seven weeks. From Preston, 17 Oct., 1643, Col. Rigby wrote to Lenthall, the speaker, giving a relation of the campaign, whence we learn that the battle was fought on Sunday. The writer says that his men began their work with public prayers; "and those done we speeded up to the Enemy with such Resolution and Courage, in all the Captains and Common Soldiers, as by their deportment I might have rather deemed that they had made haste to have saluted their friends than to have encountered their Enemies." ¹⁹

Colonel Rigby interested himself in the settlement of ministers in his county in the room of those who had been displaced. He seems to have favored Independent ministers. On 19 October, 1643, the Rev. Isaac Ambrose, the well-known minister of Preston, thus wrote to the Rev. Elkanah Wales, then minister of Pudsey, near

¹⁸ Robinson, *Discourse of the Warr*, 40.

¹⁹ West's *Furness*, 4to, pp. lii.-liij.; *Civil War Tracts*, 148-151; Baines' *History of Lancashire*, new edition, i. 221. Whitelock (i. 226) says that "the feat was more discoursed about, because Rigby was a lawyer."

Leeds, on this subject:—"Our Colonel Rigby hath enjoined me to write to you a call unto these needful barren p'ts; and his desire is that you would please to settle yourself at Rufford. It is a place where his son-in-law [Robert Hesketh, of Rufford, Esq.,] and daughter [Lucy] are like to reside, and, therefore, he hath an especial respect to it.²⁰ He is pleased to allow you fifty pounds per annum. For Tockholes if you can provide another able honest minister he will (so that he may obtain you) allow him as much there. Her father desired it that you would speak to some other honest ministers (to the number of six at least) to come into

²⁰ An indenture dated 9 Nov., 1641, relates to this marriage of Lucy Rigby and Robert Hesketh. The parties were Robert Hesketh of Holmes Wood, Esq., and Margaret (*née* Standish) his wife, and Robert Hesketh, son and heir-apparent of the said Robert Hesketh, on the first part; and Ralph Standish of Standish, Esq., Thomas Tyldesley of Myerscough, Esq., Alexander Rigby of Rigby, Esq., and Alexander Rigby, gentleman, son and heir-apparent of the said Alexander Rigby on the other part. The indenture witnessed that in consideration of a marriage to be had between the said Robert Hesketh the son, and Lucy Rigby, only daughter of the said Alexander Rigby, the father, and for £500 paid by the said Alexander Rigby the father to Thomas Hesketh of Rufford, Esq., and Jane (*née* Edmondson) his wife, and for £1000 paid by the said Alexander Rigby the father to the said Robert Hesketh the father, that the said Robert Hesketh the father and Robert the son agree that within eighteen months after the said Robert the son shall be twenty-one years of age, he shall by fine, &c., convey to the said Ralph Standish, Thomas Tyldesley, Alexander Rigby the father, and Alexander the son, all the manor of Rufforth, Marksline, Harwood, &c., &c., to the said Thomas Hesketh and his heirs.

About the same time great endeavours were made to make a jointure for Lucy Rigby, and the family were advised that it could not be done except by Act of Parliament. The elder Rigby endeavored therefore to obtain the Act, and brought a bill into Parliament for that purpose, but the death in 1646 of Thomas Hesketh before named, heir to the estate, put an end to the design; and not long after Col. Rigby himself died. The inheritance of the Rufford estate subsequently came to the children of Lucy Rigby, who afterwards married John Molineux, son and heir of Sir Francis Molineux, of Tevershall, near Mansfield, county Notts. In 1661, she, as Lucy Molineux, and her son Thomas Hesketh, infant, petitioned Charles II. for a writ to the judges at the next Lancaster assizes to permit a recovery of part of the estates of Thomas Hesketh, to be settled as jointure on Lucy Molineux, according to former indentures with her father, Alex. Rigby, but her husband died before completion of the same. The matter was referred to the attorney general, who reported in favor of the petition.

these parts, and they shall have a suitable competency to their deserts.”²¹

Episcopalianism and Presbyterianism were alike distasteful to Col. Rigby's views of churchmanship; and in regard to the former, a disgraceful charge was brought against him which it is to be feared is too true. “One Rigby, a scoundrel of the very dregs of the parliament rebels, did at that time expose these venerable persons [some of the Heads of the University of Cambridge] to sale and would actually have sold them for slaves if any one would have bought them.”

Toward the end of the year 1642, Col. Rigby was residing with his family at Preston, of which he and his sons, as we have seen, were in-burgesses; and he was often styled “of Preston.” Major Robinson says, under date of 1643, that “his court of guard was kept in Preston in the Toy so-called, Mr. Robert Blundell's house, Rowland Gaskell, Marshall, it having at that time [26 May] above 50 prisoners within it.”²² He was at Preston about Christmas, 1643, when some of the king's ships, anchoring off Liverpool, put the country in fear. Hereupon Rigby mustered troops at Preston in case they were wanted at Liverpool; and many of the soldiers volunteering to accompany their colonel, they marched to the latter town with some enthusiasm on Christmas eve by way of Wigan, having first been “heartened” by a sermon.²³

²¹ Halley, Lancashire II. 503; comp., History of Garstang, 164. In 1643 Alexander Rigby *de Burgh* was named one of the committee for the punishment of scandalous clergymen in Lancashire (Husband, *Collections*, fo. p. 131): but there is little doubt that the parliamentary colonel is meant, as he is associated with his usual Lancashire colleagues; and the *de Burgh* Rigby, discharged from the Commission of the Peace 24 Oct., 1642, was a Royalist. Nicholas Rigby of the Harrôck family was also on the same committee. *Life of Berwick*, p. 42; Walker's *Sufferings*, I, 58; *Notes and Queries*, I S. ij. 253; Dugdale's *Short View*, p. 577; *Querela Cantab*, p. 184.

²² Robinson, Discourse of the Warr, 49. ²³ *Ibid*, 45.

Rigby's reputation as a military commander was lost at Lathom House, the mansion of the Earl of Derby, which his loyal countess had secretly garrisoned and heroically and successfully defended with 300 soldiers. With her were Capt. Chisenall (who married one of the Layton Rigbys), author of the *Catholike History*; Capt. Rawstone, William Farrington, Esq., the Rev. Mr. Rutter, and Edward Rigby, impropiator of the Rectory of Brindle, and others, who

— raised midst sap and siege
The banners of their rightful liege
At their she-captain's call;
Who, miracle of woman-kind,
Lent mettle to the meanest hind
That mann'd her castle wall!

The siege lasted about eighteen weeks, and the Fairfaxes, Cols. Rigby, Ashton, Moore, Holcroft, Egerton, and others, took part in it. The undertaking was very costly; much ammunition was wasted, and the loss of life was large. The investment of the house was brought about by Sir Thomas Fairfax, who, after recovering Cheshire for the Parliament by his victory at Nantwich, proposed (15 Feb., 1643-4) to the deputy-lieutenants, colonels, and other gentlemen of Lancashire, that, in regard to the late outrages by the Lathom garrison, "some course be thought of to prevent further mischiefs and secure the well-affected in those parts."²⁴ Accordingly, at a council of "the Holy State," at Manchester, on 24 Feb., it was resolved that "Mr. Ashton of Middleton, Mr. Moore of Banck-hall, and Mr. Rigby of Preston, 3 parliament colonels," should go against Lathom. Their army was chiefly made up of relays taken out of Leyland and Amounderness. On the 27th Fairfax established his quarters at New Park, near Lathom House;²⁵ and on the

²⁴ Fairfax Correspondence, III. 77. ²⁵ Ibid, III. 85.

following day the countess was asked to surrender. She delayed compliance, and negotiations took place, Ashton and Rigby being admitted into the house on 2 March to discuss terms with her ladyship, but with no result.

In the meanwhile Rigby's wife died, and was buried at Preston on 5 March. In the same week Fairfax, leaving the operations in the hands of his cousin, Sir William Fairfax, with Ashton and Rigby under him, was called away into Yorkshire,²⁶ glad to leave an employment where no glory was to be gained. Sir William began hostilities on the 6th. On the 12th there was a sally, and sixty of the besiegers were killed. Rigby, who was, says the *Journal of the Siege*, restless in his malice against Lady Derby, urged Colonel Egerton to put a line of circumvallation round the house, and soon after took occasion to accuse him of neglect and indolence; and Sir William Fairfax having left, Rigby was commissioned to be commander-in-chief. "To give him [Rigby] his due," says Seacome, "though a rebel, he was neither wanting in care or diligence to distress the house. He denied a pass to three sick gentlemen to go out of the house, and would not suffer a midwife to go in to a gentlewoman in travail, nor a little milk for the support of young infants, but was every way severe and rude beyond the barbarity of a Turkish general." Rigby's quarters were constantly at Ormskirk, and he came daily to the leaguer. On 20 March a letter from the Earl of Derby was sent into the house by a messenger, "one Jackson, a sawcy and zealous chaplain to Mr. Rigby."²⁷ On 5 April, Ashton and Moore, by a letter dated from Ormskirk, urged all ministers and parsons in Lancashire to pray for success in the siege. On 12 April there was another successful sally, when the batteries of the besiegers were destroyed. On the 25th a furious summons was sent to Lady Derby,

²⁶ Markham, *Life of Sir William Fairfax*, 133. ²⁷ *Journal* (1823) 33. !

who, calling the drum into her presence, and tearing his message into pieces, threatened to hang him up at the gates, saying, "Tell that insolent rebel, Rigby, he shall neither have person, goods, nor house!" On the following day there was a sally, and a large mortar was captured. The condition of affairs on 1 May is revealed by a letter of Colonel Rigby's, dated from Ormskirk, addressed to the deputy-lieutenants of Lancashire, and preserved in the Fairfax correspondence.²⁸ Rigby urges his need of assistance, and says he was "enforced to borrow great and considerable sums of money, both upon my word and bond, for the public use." "We have had many nights together alarms, and beaten them into the house six or seven times in a night, and by these alarms and great numbers in the house, and by our losses, my soldiers have been enforced to watch and stand upon the guard in the trenches for two nights together, and others two nights in four, in both which kind my son hath performed his duties as the meanest captain; and for myself I almost languish under the burden, having toiled above my strength. The length of the siege and the hard duties have wearied out all the soldiers; many have departed without licence, many of the volunteers of Leyland and Amounderness (though called) have forborne to come to my aid; and divers of Col. Moor's soldiers here with me have refused to do duties in times of necessity; and want of pay was their pretence." The colonel finally hints at "waiving" the work, unless he was assisted. On the matter of money, here introduced, the author of the *Journal of the Siege* says, that when the besiegers would have mutinied, Rigby quickened them "with some small pittance of their pay, declaring it had cost him £2000, who was never knowne to bee worthe one till hee became a publike robber by law; but you must remember that hee had been a lawyer, and a bad one." Meanwhile

²⁸ Fairfax Correspondence, III. 91.

no help arrived to the besiegers, and the garrison was less harassed. Rigby's name, as one of the committee at Manchester, is at the head of a list of seven others, who from that town, on 16 May, wrote to the Earl of Denbigh in reply to his requests for assistance. The committee say that the "siege at Lathom House, having a desperate and too well provided enemy within, continues still not to be broken up, unless we will resolve to begin the whole work anew. The Earl of Derby in Wirrall and that part of Cheshire, even all along the river over against us, is very potent,—makes inroads upon us, and keeps us in continual alarms. . . . We make bould further to give intimation to your Lo'pp that wee feare wee have armed divers amongst us who are enlisted in severall companies whom (if we should remove our old tryed souldiers out of the county) we durst not trust either in our garrisons, siege, or confines, especially if the Erle of Darbie should appeare amongst us."²⁹ On 23 May, Capt. Mosley took in a last summons from Cols. Holland and Rigby. But the approach of Prince Rupert and the Earl of Derby broke up the siege. On 25 May this relieving army crossed into Lancashire at Stockport, and thereupon the Colonels before Lathom dispersed. Holland returned to Manchester, Moore to Liverpool; and on the 27th Rigby drew up his army of 2000 or 3000, and marched to Eccleston Green, where he halted, irresolute which way to retreat. He would have gone to Manchester, had Rupert not been in the way. At last he decided for Bolton. The author of the *Discourse* (page 49) says that Rigby in this emergency was in great fear for his family at Preston, and that he sent them word to pack up his goods and flee into Yorkshire, which they did. Meanwhile Prince Rupert and Lord Derby, passing over the Mersey near Sir Cecil Trafford's house, and avoiding Manchester, successfully attacked

²⁹ Memoir of James, Earl of Derby, civ. cv.

Bolton on 28 May, when, it was computed, 1200 of its defenders were slain, a large number of them being Colonel Rigby's soldiers belonging to Amounderness. The colonel himself narrowly escaped. He was on horseback, and in the *mélée* he thrust himself among the enemy, and having learned their watchword, just about the time when Prince Rupert's horsemen were entering the town, he put spurs to his horse, "springs up before them, like a resolute commander, calls them up, saying, 'March on! the town is our own!' and so riding and bestirring himself amongst them, there was no notice taken on him; but when he saw a fit time for him he took it, and with one man went his way towards Yorkshire."³⁰ Such was the termination of the Lathom campaign. The cavalier Blundell heard the Countess of Derby say that year that "since miracles ceased in the church she thought there had not been a more wonderful thing than the preservation of Lathom House. It was then newly relieved from a long siege, in which her ladyship made a most noble resistance."³¹

After this disaster we lose sight of Rigby for a time, during which he, or his son, joined Sir Wm. Waller in the west, with Sir Wm. Brereton.³² We again meet with the colonel in London, where his former activity as a legislator was not forgotten. On 12 July, 1644, the House of Commons referred it to the Committee of Sequestrators of Middlesex, London, and Westminster to provide a convenient house for Col. Alexander Rigby and his family.³³ In his straits at Lathom the colonel, amongst other liabilities, had become bond for £300 for powder taken up in Warrington, and on 24 September the House of Commons ordered the deputy-lieutenants to pay that sum to him out of the first moneys coming in.³⁴ We frequently

³⁰ Robinson, *Discourse of the Warr*, 52. ³¹ Blundell, *Cavalier's Note Book*, 295.

³² Whitelocke, I. 268. ³³ *Journals, House of Commons*, III. 559. ³⁴ *Ibid.*

meet with his name, as heretofore, on new committees. On 18 October he was one of the Lancashire assessors for raising relief for Ireland, by which the county had to contribute £83 6s. 8d. weekly.³⁵ On 20 February, 1644-5, he was one appointed to raise money in Lancashire towards the maintenance of the Scottish army, of which the share of the county per month was £730 1s. 4d. His son Edward and others were associated with him in this heavy and unpopular tax.³⁶ The pay of Rigby's old regiment being much in arrear, a hateful plan was adopted to raise funds. On 15 May, 1645, Major Rigby and Major Robinson, two officers of Col. Rigby's regiment, were permitted to make discovery of any Papist's or Delinquent's Estates.³⁷

Col. Rigby's devotion to the revolution induced the House of Commons, from 25 March, 1645, to allow him £4 weekly for his maintenance; and William Ashurst, John Moore, and about seventy other members received the same gratuity on the ground that all had lost or been deprived of the benefit of their estates, or were in such want that they could not without supplies support themselves in the service of the House. The order, which was originally drawn up for the House by Rigby himself, was discharged on 20 August, 1646.³⁸ When the ordinance of Parliament, 20 June, 1645, associated the northern counties against "Papists and other ill-affected persons," Rigby and his usual associates were made commissioners for another burthensome tax, to raise in Lancashire 438 horse.³⁹ On 1 July he was on a committee to consider the propositions for the speedy relief of Ireland.⁴⁰

³⁵ Husband, Collections (folio). 563; comp., Civil War Tracts. 91. ³⁶ Husband, Collections, II. 613.

³⁷ Journals, House of Commons, IV. 143. ³⁸ Ibid, IV. 141, 161, 649.

³⁹ Husband, Collections, 666-668.

⁴⁰ Meanwhile the second siege of Lathom, then held by Capt. Rawstorne, was taking place, and in the service against it the younger Alexander was engaged, under Colonel Egerton. By some means

On 29 August, 1645, a parliamentary ordinance appointed Col. Rigby a committee-man to assess the already over-taxed county for "the soldier's lay," the amount not to exceed £300 per month. Besides the usual persons, this committee included Edward Rigby, Esq., Alexander Rigby the younger, Esq., Nicholas Rigby of Harrock, Esq.; and Alexander Norris of Bolton, gent., was treasurer.⁴¹ The colonel was in Lancashire again for a period, and fate once more took him to Lathom House, not yet surrendered. In some parleys which the besiegers had with the garrison, Col Rigby prognosticated the surrender from "the smell and taste" of the garments of the latter, as Major Robinson relates (p. 62). On 3 December the House surrendered.

When the Earl of Warwick, 21 March, 1645-6, was constituted Admiral and Governor-in-Chief of all foreign plantations, planted by the English, Alexander Rigby was among the members of Parliament joined with him for aid and assistance.⁴² Of trivial matters which came under the cognizance of the lynx-eyed member, one should be mentioned connected with Lady Grosvenor, wife to Sir

Alexander was taken prisoner, and was kept in Lathom House for a few months. A resolution of the House of Commons, 27 Feb. 1644-5, was passed to the effect that the House approved of the exchange of Lieutenant-Colonel Uriah Leigh, prisoner to the Parliament in Peter House, for Lieutenant-Colonel Rigby, who was to give bond to Colonel Rigby and agree to other conditions for the due completion of the exchange. The negotiation about the two prisoners, who were kin-men, was a long affair. On 3 May, 1645, another resolution approving of the exchange was passed by the House, and it was ordered that Mr. Rigby be enjoined to put in suit for the advantage of the public the bond entered into by Sir Bevis Thelwall for not performing the condition thereupon touching the enlargement of Mr. Alexander Rigby, eldest son of the said Mr. Rigby, and to do all acts for the speedy recovery of the same (*Journals*, iv. 63, 131). The younger Alexander was at length freed; and it was he who, on 6 July, was at Manchester, where, with Cols. Stanley, Holland, Egerton, Hyde, and Raphe Ashton, he signed a letter to the Speaker, carried up by Samuel Birch, stating that though, except at Lathom House, there were no visible forces in the county itself, danger was to be expected from the Earl of Newcastle's great force at Bradford, near which it seems a large quantity of arms and ammunition, which the Lancashire colonels had sent thither, had been captured. The writers also fear the "abundance of Papists and malignants swarming amongst us," and beg for assistance in the present "bleeding condition" of the county (*Local Grievances*, 11).

⁴¹ Husband, Collections, 718; comp., Civil War Tracts, 210. ⁴² Husband, Collections, 829, 830.

Richard Grosvenor. On 1 May, 1646, Rigby and others were appointed to examine information given concerning words spoken in Lady Grosvenor's chamber; and she, Eleanor Windell and Elizabeth Cotton, two waiting maids, and Dr. Biron, were arrested for the purpose.⁴³

On 15 May, 1646, Col. Rigby had leave of the House to go into the country. The mention of his name in the Journals soon after, shows that he did not go. On 11 July he was one of the Commissioners for the conservation of the peace between England and Scotland, and among the other names were Sir William Brereton and Mr. Ashurst.⁴⁴ In February 1646-7 his son Edward, who inherited the father's activity and ambition, was arrested and imprisoned for debt by William Porter and Thomas Turner; whereupon Col. Rigby on the 15th brought the matter before the House, declaring that his son was his servant "for these three months past," and that the arrest was contrary to the privilege of members. The committee of complaints were ordered to enquire into the matter; but it was not till 18 January, 1647-8, following that the report was received and proceedings at law were stayed.⁴⁵ Colonel Rigby was a member of the committee to relieve persons sued for any act done by authority of Parliament, 21 May, 1647.⁴⁶ As one of the Sequestrators of Lancashire, his name is attached to a letter, dated 28 August, 1647, concerning Lord Derby's estate.⁴⁷

On 20 December, 1648, Colonel Rigby signed the remonstrance against making a treaty with the King in the Isle of Wight. On

⁴³ Journals, House of Commons, IV. 529.

⁴⁴ Husband, Collections, 905; comp., Rushworth, Collection, IV. 313; Thurloe, Collection, I. 79.

⁴⁵ Very shortly after this discreditable transaction the petition of Edward Rigby of Gray's Inn, junior, son of Alexander Rigby, Esq., was read to the House, 25 Feb., 1647-8, begging for the office of Clerk of the Crown for the County of Lancaster during his life, void by the delinquency of Alexander Rigby of Burgh, Esq.; and a motion to give him the office was negatived, Mr. Wm. Ashurst being appointed (*Journals*, v. 471-2).

⁴⁶ Scobell, 122.

⁴⁷ Seacome, 148.

25th Colonel Moore signed the same paper.⁴⁸ To prevent the Treaty the King's person was seized, and when it was decided to bring him to trial, Cromwell nominated Col. Rigby as one of the judges. Much as Rigby hated the King he declined to act. "In 1648, Rigby, who was still acting as Colonel in Lancashire, joined the High Sheriff in signing the warrant for apprehending and committing Col. John Booth to prison at Liverpool, from whence he was afterwards sent to the Tower on a charge of favouring the Duke of Hamilton's rising."⁴⁹

Amongst the legal promotions in 1649 Col. Rigby comes into notice. On 1 June the "merits and deserts" of Mr. Sergeant Bradshaw were ordered to be considered by the House. It was next resolved that the House approved of Peter Warburton, Esq., to be one of the Judges of the Court of Common Pleas; and of Alexander Rigby, Esq., to be one of the Barons of the Court of the Exchequer. Writs were then ordered to be issued for calling Warburton and Rigby to the dignity and degree of a sergeant-at-law; and an act was brought in for making the writs returnable immediately.⁵⁰

Henceforth the *quondam* colonel is called Baron Rigby, and the remaining events of his life are connected with his judicial duties. The Judges of Assize were then appointed by the Lords Commissioners of the Great Seal, who, in conjunction with the House of Commons, made at this time some necessary alterations. An Act was introduced 15 June, 1649, for enabling the judges that went on the northern circuit to hold an assize at Durham, in reference to which Baron Thorpe, who that year took the northern circuit, was ordered to consult with Baron Rigby how to continue the proceed-

⁴⁸ Walker, *Independency*, ii. 48.

⁴⁹ Robinson, *Discourse of the Warr*, 128.

⁵⁰ Whitelocke, *Memorial*, 111, 13. The portrait to illustrate this article was undoubtedly made at this period of his career, as he is depicted in his judicial robes and wig, and by close inspection the cap may be seen. This is the only picture of any person connected with early Maine history known to be in existence.

ings in the co. Palatine of Lancaster as formerly.⁵¹ On 21 June another act was introduced for keeping a session or assize in the Castle of Lancaster on 7 September ensuing, and it seems likely that Rigby presided at this assize. Baron Rigby is returned in the Church Survey of 1650, as one of the impropiators of the tithes of Barton in Preston parish, and of Poulton. On 1 April he and Thorp, as two barons of the Exchequer, were two of the Commissioners named in the act for establishing the High Court of Justice.⁵²

Judge Rigby's last appearance at an assize was in August, 1650, at Chelmsford in Essex, where a sermon was preached before him on Luke xvi. 2. Soon afterwards the judge fell sick, and the assizes were adjourned, promise being made to come back and finish them there after the Croydon Assizes were over. Rigby sat at the latter place, where his sickness so much increased, and where Judge Gates, his colleague, was also attacked in the like manner, as well as the High Sheriff of Surrey, that "all three were speedily conveyed away thence to London, where they all three died immediately after, even within a seven-nights space or thereabout, of a most violent pestilential fever; and very many more of their clerks, officers, and attendants on the said assizes died also at the same time, as was generally and most credibly informed and reported."⁵³

The date of Rigby's death was 18 August, and Baron Gates died

⁵¹ Journals, House of Commons, VI. 233. ⁵² Council of State Proceedings, 73.

⁵³ This relation is taken from John Vicar's *Dagon Demolished: or, Twenty Admirable [Wonderful] Examples of God's Severe Justice and Displeasure against the Subscribers of the late Engagement against our Lawful Sovereign King Charles the Second . . . published to reclaim such Fanatique persons, who have been too forward to promote this Wicked Destructive Engagement*, 4to. 1660. The writer adds that Rigby was "a most desperate enemy to the Presbyterians' Church Discipline, as being a great Independent," this being the cause of the Divine displeasure; and he also says that he himself knew "one Capt. Hindley, one of Judge Rigby's chief clerks or officers, who died at the same time, immediately upon the very same time of these Judges' deaths, a most remarkable and fearful example of God's wrath upon engagers and sinful Compliers with workers of iniquity." Fuller in his *Church History*, ed. Oxon., iv. 402, who discusses gaol fevers, confirms the extraordinary account of Vicars, when he relates that "a great depopulation happened" on this occasion.

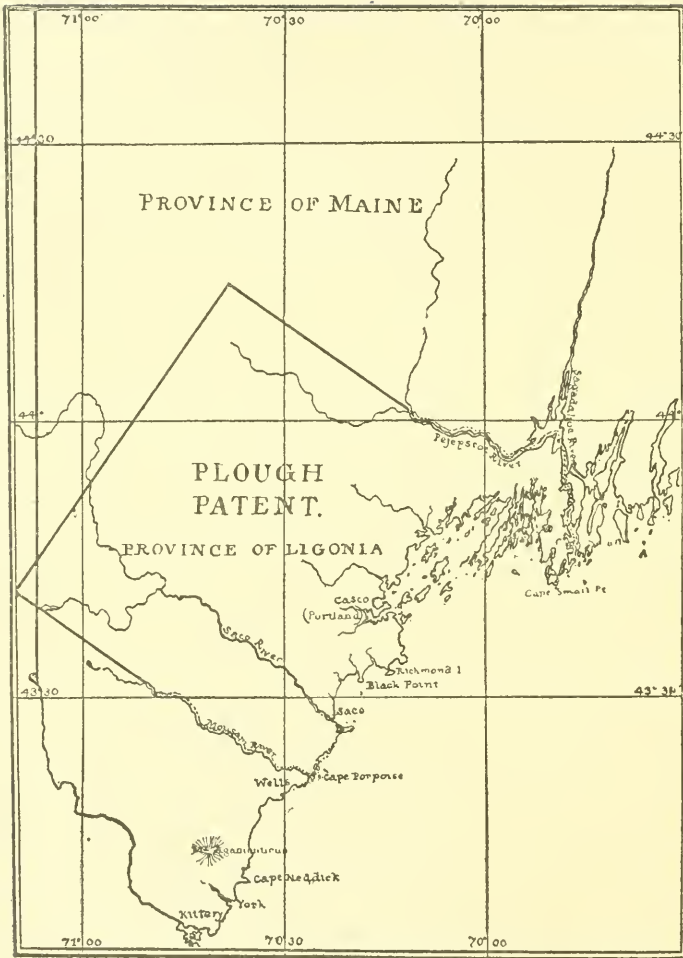
on the following day.⁵⁴ Gates was interred at the Temple Church. Rigby's remains were said to have lain in state at Ely Place, Holborn, and the interment took place at Preston, on the 9 September.⁵⁵ The Cavalier Blundell, like Vicars, noted the "Example" of the death of Judge Rigby, but it affected him in another respect. "There died in the compass of about one year, four of our chiefest Lancashire colonels of the Parliament party, viz., Ashton [Ralph of Middleton, died, says Dugdale, in February, 1650]; Dodding [George of Conishead, died in 1650]; More [John, M. P. for Liverpool, died in 1650]; and Rigby [died 18 August, 1650], of which the last was thought, as his nephew told me, to be certainly poisoned."⁵⁶ Although Rigby made such a mark in the country, he seems to have been almost as obscure in Goosnargh as his residence was. No story and no memory of him has survived amongst a people, who are naturally fond of traditionary lore, and there are the descendants of many of Rigby's contemporaries still inhabiting the locality. This is probably in Rigby's favour, for

The evil that men do lives after them,
The good is oft interred with their bones ;

and this would lose none of its force amongst a race of people who are prone to say much about "seed, breed, and generation."

⁵⁴ Peck, *Desiderata Curiosa*, II. (xiv), 532. ⁵⁵ Fishwick, *History of Goosnargh*, 147.

⁵⁶ Blundell, *Cavaliers Note Book*, 29. The authorities consulted in the preparation of this article include the following works: *The Moore Rental*, VIII; *Seacombe, Memoirs of the House of Stanley*; *Foss', Judges*, IV. 490; *Visitation of Lancashire (1613)*, 65, and (1665), 145; *The Civil War Tracts*, *passim*; *A Discourse of the Warr in Lancashire*, *passim*; *Notes and Queries*, 4 S. viij. 247; *Lancashire Lieutenancy*, pp. 275-8; *Fishwick's Hist. of Goosnargh*, pp. 140, *seq.*, with a portrait, likewise engraved in *The Reliquary*, xi. 247, and in *Croston's Nooks and Corners of Lancashire and Cheshire*, p. 333; *Halley's Nonconformity in Lancashire*, vol. i. 308 *seq.* and *passim*; &c. Other sources of information are mentioned *passim*, as above quoted. This biography is compiled from a sketch of Rigby's life published in the *Palatine Note Book* by its editor, John Eglinton Bailey, Esq., F. S. A. of Stretford, Manchester, England, to whom full credit is due for the collection of original material and procuring a copy of the miniature portrait at the head of this article.



APPROXIMATE BOUNDARIES AND LOCATION
 OF THE
PLOUGH PATENT and **PROVINCE of LYGONIA,**
 BY COMMISSIONERS' DECISION 1846.

II. THE PLOUGH PATENT.

"The Plough Patent which I esteeme no better than a broken tytle."

Richard Vines to John Winthrop, 9 January, 1643.



Arms of Stephen Bachiler,
Pastor of Plough Colony.
From Morgan's "Sphere
of Geulry,"
lib 2, page 103.
Published, London 1661.

On the 6th of July, 1631, Governor Winthrop made the following entry in his Journal: "A small ship of sixty tons arrived at Natascott, Mr. Graves master. She brought ten passengers from London. They came with a patent to Sagadahock, but, not liking the place, they came hither. These were the company called the Husbandmen, and their ship called the Plough."⁵⁷ We are here first introduced to a body of emigrants constituting the advance guard of a society of religious fanatics who intended

⁵⁷ Winthrop, Journal, 3d edition, i, 69; comp. Hubbard, New England, 141, 142. There was a ship called the Plough, 160 tons, owned in 1627 by James, Earl of Carlisle, and afterward sold (1628) to Captain Thomas Combes and Morrice Thompson, who were granted letters of marque that year. The next year (12 Nov. 1629), William Cock, master of the "Plough of London," relates the circumstances of the capture of the Island of St. Christophers by a large Spanish fleet. (Calendar, Domestic State Papers, 1627-1629.) The Plough which carried the Husbandmen left Boston for St.

to establish a colony on the new English shores where they hoped to be freed from the persecutions which had followed them at home. This "Company of Husbandmen" brought with them a patent from the Council for New England, dated 26 June, 1630,⁵⁸ which granted unto Bryan Bincks, John Dye, John Smith, Thomas Jupe, John Crispe, and their associates, a tract of land forty miles square.⁵⁹ The location and extent of this grant were never distinctly understood, and from the first the indefinite terms and description became frequent sources of controversy and misunderstanding between the grantors and grantees of the patent. The partners remaining in London wrote under date of 8 March, 1631-2 to the colonists as follows:

"We gaue you nottes by Mr. Allertun,⁶⁰ and wee hope you haue long since receued it, that wee haue had much ado abought our patten, and that there was one Bradshaw that had proquired letters

Christophers a few weeks after her arrival, but was compelled to put back on account of stress of weather, "and was so broke she could not return home." (Winthrop, Journal, 3d edition, i. 72.) Hubbard adds, "they laid her bones there." (History of New England, 141, 142.)

⁵⁸ This date is taken from a contemporary manuscript in the possession of the Maine Historical Society, and, to my knowledge, has never before been published.

⁵⁹ The loss of the original patent (and no verbatim copies are known to be in existence) precludes the formation of any definite knowledge of the boundaries of this patent. Hubbard locates it "south of the Sagadahoc River" and "twenty miles from the sea-side." (History of New England, 510.) Maverick writing in 1660 says "there was a patent granted to Christo: Batchelo' and Company in the year 1632 or thereabouts for the mouth of the River [Kennebec] and some tract of land adjacent." (Egerton MSS. 2395, folio 397.) An anonymous writer, about 1638, speaks of "a patent of Segadehock granted to Crispe and others" (MSS. No. 3448, British Museum) and another contemporary alludes to it as "a Patten for M^r Crispe and others for Sagadahock." (Colonial Papers, Public Record Office, ii. 16.) "Two Islands in the River Sagadahock, near the South Side thereof about 60 miles from the Sea," were included in the grant, but it is not possible to locate such islands in this river (Sullivan, History of Maine, 310), though it is evident that the council supposed them to be there. In the minutes of their proceedings they decided to reserve "for the dublike plantation . . . the two great Islands lying in y^e river of Sagadahoc." (Colonial Papers, ii. 6.)

⁶⁰ This was Isaac Allerton of the Pilgrim Colony at Plymouth.

patten for a part as wee sposed of our fformer grant, and so wee think stell, but he and Sir Fferdinando think it is not in our bouns.⁶¹ He was ffrustrat of his ffurst purpose of cuming ouer, but is now joyned with 2 vere able captens and marchants, which will set him ouer, and wee sopowse will be ther as soun as this shipe, if not befor. Wee can not posible relate vnto you the labur and truble that wee haue had to establishe our former grant:⁶² mane rufe words wee haue had from Sir Fferdiniando at the ffurst, and to this houer he douth afferm that he neuer gaue consent, that you should haue aboufe forte mills in lenkth and 20 millse in bredth, and sayeth that his one hand is not to your patten if it haue anne more: so whe haue dun our good wellse and haue proqured his loufe and mane promases that wee shall haue no wronge. Wee bestoud a suger lofe vpon him of sume 16s prise, and he hath promisd to do vs all the good he can."⁶³

⁶¹ Richard Bradshaw was granted a patent for 1500 acres of land "above the hedd of Pashippscot on the north side thereof," 2 November 1631, having been "liveing there some yeares before." (Minutes, Council for New England.) Bradshaw, however, was given possession of this amount of land at the Spurwink river by Captain Neale, and afterward sold his rights there to Richard Tucker, who settled thereon and, with his partner George Cleeve, tried to maintain this claim against the Trelawny Patent, but unsuccessfully. (Trelawny Papers, 32, 207, 229, 308)

⁶² This would indicate the existence of a prior grant which became void, and may account for the allusions to the various patents "for Sagadahock" spoken of in a previous note.

⁶³ 4 Mass. Hist. Coll. vii. 94-96. The Company further say respecting the difficulty about their grant: "Wee can proquer nothinge vnder his hand, but in our heringe he gaue order vnto Mr Aires to wright vnto Capten Neyle of Pascatoway that Bradshew and wee maight bee bounded, that wee mayght not truble ech other, and haue giuen the Capten comand to serch your patten, what it is you haue vnder my lords hand and his. Wee need not Counsell you what to do in that case, only wee giue you nottes of it, desieringe God to direct you that no just ocation may be giuen one our parts to be euell spoken of. Wee gaue Sir Fferdingand this resen why wee desired so larg a patten, because that the grettest part of it was not habetable, being rocke, wer no man could life; and he ansored wee should not doubt but be allowed enofe for vs all, and in the best part of it, accordinge to our desier; but if wee should haue so much as wee say they haue granted vs, then do we includ difers of ther former plantations, which they neuer intended. This conterfers must be ended between your selfes and such guferners of then of Pimequed as they haue apointed."

The owners of this patent with its perpetual lease to heirs and assigns were members of the strange sect of religious enthusiasts called the Family of Love or Familists who flourished in Holland and England during the latter half of the sixteenth and first half of the seventeenth centuries. The founder, Henry Nicholas a native of Westphalia, originally an Anabaptist, taught that religion consists wholly in love, and as the apostle of this creed claimed superiority over Christ on the ground that Moses only preached hope, Christ faith, while he preached love. Their doctrines seem to have been a species of pseudo-spiritual sentimentalism, inevitably resulting in gross immorality, and Fuller in his "worthies" calls them the Family of Lust. Queen Elizabeth instituted an investigation into their practices, which resulted in their dispersion and the burning of their books and property. They continued to flourish, however, in a precarious way for about a century, but finally expired under a continual battery of ridicule in prose and verse.⁶⁴ The London partners allude to this persecution when they adjure the colonists to be united and "put to sham and silanse mane that do now shamfulle ris vp against vs."⁶⁵ Such were the company of Husbandmen who came to our shores in the "Plough," and their proposed colony was to be operated upon the communistic principle of equal division of expenses and profits and would become in time an asylum for the oppressed brethren in England.⁶⁶ The conditions

⁶⁴ Interesting particulars concerning this peculiar sect may be read in Knewstub's "Confutation of Monstrous and Horrible Heresies taught by H. N. &c.," London, 1579; Rogers' *Displaying of an horrible Secte, &c.*, London, 1579; Baxter's *Autobiography*, 77; Strype's *Annals*, ij. 57; Mosheim's *Ecclesiastical History*, chap. xvi. § iij. p. xij.; Collier's *Ecclesiastical History of England*, vi. 609; vij. 311; Hardwicke's *History of the Reformation*, ch. 5.

⁶⁵ 4 *Mass. Hist. Coll.* vii. 94-96.

⁶⁶ The "ten passengers" constituting the first lot of colonists cannot be all identified. So far as determined they were Bryan Binckes, Peter Johnson, John Kerman, John Smith, "Mr" [John] Crispe, and the "sons" of "Goodman Tamage."

of membership in this adventure were religious affiliation and a subscription of £10 to the common stock, but though the former was not strictly essential, the latter was a necessary requisite. The business management of this religious scheme was conducted by members of the society in London, principally by John Dye, "dwelling in Fillpott Lane," Grace Hardwin, Thomas Jupe and John Roch, "dwelling in Crooked Lane," but it may here be said in anticipation, that their part in the affair became a mere probate proceeding in bankruptcy, for the colonists never settled on their patent. Before the brethren in London could hear from their friends in the Plough the obituary of the colony had been written by Winthrop.⁶⁷ It would be unnecessary to occupy further space than to record their epitaph did not the letters of the London partners written to the colonists, in ignorance of the collapse of the scheme, unfold to us the elaborate preparations made by them for securing a permanent establishment, and sending reinforcements to it. Under date of 8 March, 1631-2, they say "our tim hath bin taken vp with fordringe, hellpinge and providinge thinges fittige for these our bretheren that are now to come vnto you," and we are informed therein that two vessels with colonists were to be dispatched forthwith. These two vessels the "Whale" and the "William and Francis," both of London, set sail March 9th and April 8th, 1632, respectively, bearing in addition to the colonists a number of distinguished persons. In the "Whale," which arrived May 26th, came John Wilson and Richard Dummer (who held a

⁶⁷ A contemporary manuscript in the possession of the Maine Historical Society, which was drawn up by the attorney for the Rigby heirs, contains the following statement: "In the year 1630 The s^d Bryan Bincks, John Smith & others associates go personally into New England & settle themselves in Casco Bay near the South side of Saga-lahock & lay out considerable Sums of Money in planting there & make laws & constitutions for the well ruling & governing their s^d Plantations & Provence." With the positive statements of Winthrop, Hubbard, Maverick, and other contemporary writers to the contrary it is not probable that this authority is entitled to full credit.

commission from the London partners) "and about thirty passengers, all in health"; in the "William and Francis," which arrived June 5th, came Governor Edward Winslow, Thomas Welde, (who published twelve years later "A Short Story of the Rise Reign and Ruin of Antinomians, Familists and Libertines that infested the Churches of New England"), Stephen Bachiler, their aged pastor in London, transferred from thence to missionary labors in the colony, and about "sixty passengers."⁶⁸ In the cargo of these two vessels came invoices of merchandise for the use and profit of the colony and an enumeration of some of them will be the best evidence of the ignorance of the business managers of the conditions necessary to the success of their venture.

"The goods you shall recefe in the William and Frances that is the cumpanes, is 4 hogshds of pese, which cost, cask and all 6li-5s-0d; the caske as markt with 2 plouse markt one one hed, wher as all ther go(o)ds haue 1 plou on ech hed; and 12 yards of brod cloth at 5s 6d. cumes vnto - - - - 3— 6—0
200 yards of list at 7s 6d. per hundred, which lest we think may be good to mak Indian breches or blankits
I pray send word if it be a comodete worth sendinge
anne mor - - - - - 0—15—0
. 1 fryes coat, 1 payr of briches, boath at - - 0—19—0

5— 0—0"

⁶⁸ Winthrop, Journal, i. 92, 93, 94. Speaking of the coming of their venerable preacher, Stephen Bacheler, then 71 years old, they say: "furst let vs not forget to remember you of yours and our dute that wee return humble and harte thankes vnto All mighte God, that hath filled the hart of our reuerent pastor so full of selle, of loufe and extreordenare affection toward our pouer sosiate, that not with standing all the oposition, all the suttell persawations of abundens of oposers, that hath bin sturd vp against vs, partly through sellfe loufe, not affectinge this generall serfetud, and partly through that vntimly brech of our brother Cermen; yet he remayneth constent, perswadinge and exortinge yee and as much as in him lyeth, constrayinge all that lufe him to joyn together with this sosiate; and seinge the cumpane is not able to bere his charges ouer, he hath strayned him sellfe to prouid prouision for him sellfe and his famally, and hath dun his vttermost indever to help ouer as mane as possible he can, for your further strainketh and incurigement."

When we contemplate the wild Indian in broad-cloth breeches and listing blankets we may see the absurdity of anticipating success upon such a basis. Nor was the financial standing of the company in London such as to warrant a belief in the stability of the corporation. They wrote to the colonists: "forasmuch as ther is ouginge 200 li by the Company in London, vppon bond vppon our securitie, and is yearely a great burden vnto vs; wee desire you therefore that our goods may not be there retayned any longer, ffor the debts vppon bond the Companys goods must paye," and elsewhere say "Wee are constrayned to mak vse of the tunige mone(y) of 20 pasingers to pay oulld detts." The second lot of emigrants were not of the right stamp to become the founders of a colony, and the London partners felt constrained to apologize because "the men louck aged and the children younge," but still supposed they would not prove burdens to the plantation. Some of them however were skilled laborers, one being "experensed in the makinge of sallt," and it was hoped that the others would be put to work, "accordinge to ther strainckte."⁶⁹ The selection of such persons is to be explained upon the ground of necessity, for they were in most instances wives, sons, daughters, or relatives of the first lot, and the London partners allude to their importunities to be allowed to join the colony.⁷⁰ This however was only one of the many causes operating in this adventure toward the disastrous result, and we must look to a combination of circumstances, the objects and aims of the Familists, their character, the location chosen by them,

⁶⁹ 4 Mass. Hist. Coll. vii. 94-96.

⁷⁰ "There is also a vere pour Yarksher man his name is John Banester: he hath mad such extraordinary mone to cum ouer, that Mr Bachellr and Mr Dumer hath had sum compassion, and payd for his pasage; if you thinke you be able to receue him, and do so thinke good of it, wee then do desier you to let him be the cumpense saruent, and put him to such emplyment as you thinke good, and vpon such conditions as you shall see mit." (Company Letter 8 Mch 1631-2.)

probably about Cape Small Point, to account for the climax of their expedition before the end of three months.

Maverick writes that the colonists "soon scattered, some for Virginia, some for England, some to the Massachusetts never settling on that land."⁷¹

With commendable promptness one of the colonists, John Kerman, proceeded to save to himself something out of the general wreck, and on 18 October, 1631, secured the following order from the general court:

"There shalbe taken out of the estate of M^r Crispe & his company the some of xij^l j^s v^d, & deliued to John Kirman, as his pp goods, & after the whole estate to be inventoryed, whereof the s^d John Kirman is to haue an 8th pte; this to be done with all convenient speede by theis 5 comission^{rs}, or any 3 of them, vz: M^r John Masters, M^r Robte Feakes, M^r Edward Gibbons, Epharim Childe, Dan^l Fynch, &c."⁷²

Those of the colonists who remained in Massachusetts also took steps to have the estate of the company distributed in a legal manner and the affairs of the defunct corporation administered for the benefit of the creditors. Accordingly on 5 June, 1632, the day of the arrival of the Whale with the new colonists, the General Court passed the following:

"It is ordered that the goods of the company of husbandm shall be inventoryed by the beadle, & and pserued here for the vse and benefitt of the said company."

This was supplemented shortly after by three more legislative orders as follows:

"Peter Johnson and Bryan Bincks were bound in the sum of

⁷¹ Egerton, MSS. 2395, ff. 397-411.

⁷² Mass. Col. Rec. i. 92. It is not clear why Kerman was given a dividend in advance.

£10, as security, not to leave the jurisdiction of Massachusetts until they had should render an account of the affairs of the company.

“ John Smyth hath likewise bound himselfe in x^l to be accomptable for his companyes goods nowe inventoryed, & remaineing in his hands.

“ It is likewise ordered, that those goods w^{ch} were sent ouer with the said John Smythe shall remaine in the hands of M^r Wilson, for w^{ch} hee is to be accountable to those y^t sent them ouer.”⁷³

For some reason, which is not apparent, the London partners were not informed of the collapse of the plantation for many months after the event, and not till 1 December 1632, did they send over to Governor Winthrop a statement of the company's estate. This property according to their inventory amounted to about £300 as appears by their letter of, that date, in which they ask that justice be meted out to all parties :

“ Those things that are there of the Companies to our knowl-
edge are these : first, there is the 6 ordnance with there carriges, 4
ankers and cables, which stand vs heare in England in little lesse
then - - - - - 160- 0-0
There is alsoe a parsell izion sent by Mr Allerton 030- 0-0
A parsell of pease [. . . .] - - - - 013- 0-0

⁷³ Mass. Col. Rec. i. 96, 98. An incident of collateral interest took place at this time (5 July 1632), when the above-named Smith was bound out to Rev. Mr. Wilson by order of the General Court, in the following terms : “ John Smithe is bound as an apprentice with M^r John Wilson for fyve yeares from this Court, dureing w^{ch} tearme M^r Wilson is to finde the said John Smythe meate, drinke, & appfel, & att the end of the said time is to giue vnto him the some of fforty shillings.” (Mass. Col. Rec. i. 98.) It appears, however, that Smith's principles, imbibed from the “ Family of Love,” were not stifled by the good Parson Wilson, his master, for on 3 Sept. 1635, the General Court “ Ordered, that John Smyth shalbe sent within theis 6 weekes out of this iurisdiction, for dyvers dangerous opinions, w^{ch} hee holdeth, & hath dyvulged, if in the meane tyme he removes not himselfe out of this plantacon.” (Ibid, 159.) Probably this is the same John Smith who raised a religious disturbanc_e at Weymouth in 1639, and subsequently figures in the Court records therefor. (Ibid. 252, 254, 258.)

And a parsell of broade cloth and a coat and list	-	05-10-0
And a parsell of plate waire of Thomas Juppes owne particuler adventure	- - - - -	011-16-8
And a parsell of Master Hardings goods	- - -	016- 0-0
There was a parsell of the Companies goods velaced by one Muzze	- - - - -	010- 0-0

“ There is much other goods there of the Companies, which wee cannot give you notice of. Wee desire you to call John Smith to account, by his owne letter hee hath 20 *li* worth of the Companies estat, which although wee desire not that it should be presently taken from him, because wee pittie his poore estate, yet wee leaue it vnto your wise consideration to order, or to dispose towards the payment of Master Batchellor if you see fitt, vnto whome wee doe ough 60 *li*; it was sumthinge more, but the rest wee haue layd out for him in his frayt to the vallyewe of 7 *li*; wee therefore desire that he should bee payde 60 *li*. There is goods allsoe to the vallyewe of 40 *li*, as wee are informed, that Mr. Dummer hath taken from Bryan Binkes and Peetter Johnsonn; ther is alsoe the ould shipp, and divers debts oughinge vs which wee intreate you to call John Smith to account for.”⁷⁴

The London partners were strongly of the opinion that Richard Dummer had been guilty of sharp practices in connection with his stewardship. It appears that they regarded him as of good mate-

⁷⁴ 4 Mass. Hist. Coll. vii. 94-96. They thus relieve their minds concerning the collapse: “ Beinge now certified that Bryan Binkes and Better Johnsonn are gone to Vergenia, accordinge to the Companies order. . . . Heare hath binn a greate deale of complainte, and much euell sermizinge of the dealeinge of our brethren departed to Vergenia, but we wish we may haue noe worse from thence. Wee haue faire account and good reason for what they did, and for profit or losse. Gods will bee done. Wee hope wee shall find that that part of our estate carried away to Vergenia shalbee as well improued for all the Company, accordinge to that proportion, as they will improue ther oune in New England that doe soe surmize of there brethren. Time will try all things.” (4 Mass. Hist. Coll. vii. 94-96.)

rial for a convert. "Mr. Dumers promise," they wrote to the colonists, "is allso to joyne with you if ther be anne reson for it," and having become a subscriber to the scheme, he was intrusted by the London partners with power of attorney, and in this capacity brought over the original patent.⁷⁵ In their letter to Winthrop they are unsparing in their denunciation of Dummer's duplicity.⁷⁶ For the actual loss of money they profess not so much grief as for the failure of their religious colony and bemoan the legal controversy likely to arise, "which is a greater grieffe vnto us than all those other crosses that hath befallen us." Their closing aspiration and injunction to the scattered colonists is written in a worthy spirit: "Although wee lose all, lett them not dishonor God and disgrace Religion." The process of settling the affairs of the company proved to be a slow one, and although Winthrop says that most of the colonists "proved Familists and vanished away," yet one remained to get his share in the final division, 7 April, 1635, being none other than the John Kerman, who was, as we have seen, the

⁷⁵ "John Dye aforesaid and his partners took in another as partner and associate with them, Mr. Richard Dummer of Newbury in New England in the year 1638, to whom they delivered the original patent." (Hubbard, *Present State of New England* (ii.) 9, 10; comp. Sullivan, *Maine*, 312.) In a petition dated December, 1683, Jeremias, son of Richard Dummer, says that the Plough Patent was "ordered home for England" and that the Patentees gave his father a grant of 800 acres in Casco Bay for his "trouble and charge in the management of their concerns." (Folsom, *Saco and Biddeford*, 326.) The Patent was sent to England where Rigby purchased it and ought to be found among the Colonel's papers, if any exist.

⁷⁶ "Wee desire you farther to take notis that when Master Batchellor dumbled his adventure and made his adventure vpp 100 li, it was vppon condition that wee and Master Dummer should doe soe likeise. Wee at London did dumble our adventures and wee received alsoe 40 li. of Master Dummer for his duble adventure: yet, after some farther consideration, Mr Dummer sent his money into the hands of a freind, that would not deliver it vs, without bonde to paye it againe. Nowe Mr Dummer promiseinge, as well as wee, to dumble his adventure, and to haue a part of losse, if it soe fell out, as this inclosed letter will testifie, beinge the letter of his owne hand, sent with the mony: wee desire to referr ourselves vnto you, there to iudge what is fitt for him to haue." (Mass. Hist. Coll. vii. 94-96.)

first in October, 1631, to draw a dividend.⁷⁷ The General Court ordered on that date "that Capt [William] Traske shall pay to John Kirman, out of the estate of the company of husband^m, the some of ffoure & twenty pounds eleven shillings & fyve pence, being the remainder of the eight pte of the said estate, w^{ch} was by order of Court gyven the said John Kirman. Provided, if hereafter it shall appeare, that there is not soe much due to y^e said John out of the said 8th pte, that then hee shalbe accomptable for the same."⁷⁸

This record is the last that we shall meet concerning the coming of the "Companie of Husbandman," their abandonment of the patented territory about the Sagadahoc, "not liking the place," and the division of the assets among the few who had not "vanished away." It is an interesting topic for speculation as to the results which might have followed had these strange religious fanatics succeeded in establishing themselves in the Province of Maine on the shores of Casco Bay, but the conclusions that may be formulated are not profitable enough to occupy any space here. Suffice it to say that when the colonists became scattered throughout the different settlements of New England they failed to leaven the great Puritan lump of theology and were soon lost in the crowd.⁷⁹ Yet

⁷⁷ John Kerman seems to have been in the favor of the authorities and was elected a deputy to the General Courts of 1634 and 1636. (Mass. Col. Rec. i, 135, 185.)

⁷⁸ Mass. Col. Rec. i, 143. Kerman received upon the two Court orders above cited, £36 12 10, and upon the supposition that it represented an eighth of the property it will be seen that the appraised value of the estate would be £300. This was substantially the amount reported by the London Partners. In their letter to Winthrop 1 Dec. 1632 they make this further statement of their assets: "There was, in all, 14c li in jointe stoke; of this but the vallyewe of 250 li caried to Vergenia, accordinge to your praisinge when you paid Carman" (4 Mass. Hist. Coll. vii, 94-96.)

⁷⁹ The members of the "Companie of Husbandmen," as far as has been determined, comprise twenty-three names, viz.: John Dye, John Roach, Grace Hardwin, Thomas Jupe, John Robinson, Roger Binckes, Nathaniel Whetham, Henry Fowkes, Brian Kipling, Nathaniel Harresse, John Asten,

one of their number maintained his individuality and his tenets, though in a disguised form — the aged pastor, Bachiler, who undertook in the fall of 1632, to gather a church at Lynn, employing these colonists as a nucleus. The General Court on the 3 October required him "to forbear exercising his gifts as a past^r or teacher publicly in o^r pattent, unless it be to those hee brought with him," but removed the injunction at the next court.⁸⁰ In the winter of 1635-6 he was again in trouble, and "the cause was," says Winthrop, "for that coming out of England with a small body of six or seven persons," he made enemies in the church at Saugus, which he had gathered and "with the said six or seven persons presently renewed their old covenant, intending to raise another church at Sagus."⁸¹ In 1638 he settled at Hampton and three years later, at the age of fourscore, committed an offence against good morals, "with his neighbor's wife." His after life was clouded with the ban of excommunication, and he led a wandering career, for a while in Maine, then in New Hampshire, finally returning to England, and dying at Hackney, at the round age of one hundred years. Thus ended the career of the "Company of Husbandmen," and their adventure was soon an almost forgotten incident in the annals of colonization, while the patent itself became to be considered "no better than a broken tyle."

The next and concluding paper will relate the more stirring events which followed upon the resuscitation of the patent.

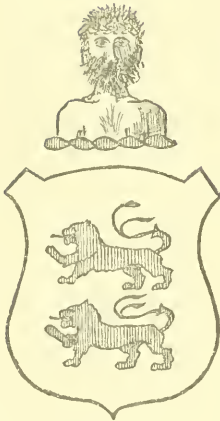
Peter Wooster, Thomas Payne, Stephen Bachiler, Richard Dummer, John Kerman, John Smith, Nathaniel Merriman, John Banester, Peter Johnson, Bryan Binkes, "Goodman" Tamadge, John Crispe, the last eleven of whom were colonists.

⁸⁰ Mass. Col. Rec. i, 100, 103.

⁸¹ Winthrop, Journal i, 210-211. This "old covenant" was undoubtedly the "family of love" doctrine.

III. THE PROVINCE OF LYGONIA.

The quarrel is a pretty quarrel as it stands; and we should only spoil it in trying to explain it.—
Sheridan, The Rivals, Act iv., Sc. iii.



Lygon Arms.

To the ambitions and ingenuity of George Cleeve of Casco, the planters of Maine were indebted for the resuscitation of the abandoned Plough Patent and the four years of internal strife and uncertainty which followed his endeavors to set up an independent government in the heart of the territory granted by royal charter to Sir Ferdinando Gorges. That he exhumed this forgotten skeleton, wired it together and made it dance to suit his schemes for personal aggrandizement and private revenge rather than from motives of the common public welfare, will be apparent as the story develops; but to seek the causes of his machinations we must review briefly the political history of the prov-

ince. When the council for New England surrendered their charter 7 June, 1635, the territory comprised in their patent had been carefully divided by lot among the members.

In this territorial division the portion which fell to Sir Ferdinando Gorges included a large part of the present State of Maine, and embraced the old but undefined limits of the Plough Patent. Sir Ferdinando called his portion New Somersetshire, from the English county in which his family estates were situated; and he made provision forthwith for the civil government of the province by sending over his nephew, Captain William Gorges, as Deputy Governor *pro tempore*, until he could procure from the Crown the necessary confirmation of his title to the sovereignty as well as the soil of the province.

By the employment of artifices in which he was an adept, Cleeve gained the confidence of Sir Ferdinando, and so successfully did he misrepresent the actions of the new Deputy Governor to the Lord Proprietor, and undermine his confidence in the faithful steward, Richard Vines, that before the young nephew had been in his seat scarcely two years he was recalled; Vines was dismissed, and Cleeve, triumphant, installed in their stead. His victory, however, was but ephemeral, for Sir Ferdinando was soon informed of the true character of Cleeve, and speedily revoked his authority, and restored Vines to favor, placing him in the office of Deputy Governor, vacated by his nephew.⁸² The Lord Proprietor still sought for a royal charter for his province and this object was accomplished 3 April, 1639-40, when Charles I. granted him almost absolute seignoral privileges, such as were seldom, if ever, conferred by any govern-

⁸² This political incident of the administration of William Gorges has never been referred to by any of the historians of Maine, either local or general. The reader is referred to a letter of Sir Ferdinando Gorges to Governor John Winthrop, 23 August, 1637, in 4 Mass. Hist. Coll. vi. 329.

ment on an individual.⁸³ This feudal seignory, with its magnificent outline of official administration, never reached its projected grandeur, for the materials necessary to its perfection were lamentably deficient.⁸⁴ The sparse population of fishers and planters then scattered along the coast was insufficient to fill all the offices of his bailiwicks, hundreds, parishes, and tithings; yet amidst this plenitude of places there was one person who was omitted in the distribution of the offices. This was George Cleeve, whose intrigues had over-reached, as we have seen, and for the next three years he chafed in his enforced retirement at his plantation in Casco, only to have his ambition for place and power whetted to its keenest desires. Hunger had sharpened his wits, and his schemes for revenge were skilfully matured. By what agency he was led to think of the feasibility of resuscitating the forgotten and buried Plough Patent, and what sped his hopes of revivifying that "broken tittle," are useless surmises; and it only concerns our story to know that he crossed the Atlantic to prosecute his plans, soon after the tidings of the outbreak of the civil war reached here.⁸⁵ There can be no doubt that he regulated this movement with a view to the enlistment of political and religious bias to his aid, for Gorges, the Lord Proprietor, was a Royalist and a Churchman, while Cleeve, if he could be anything sincerely, was a Roundhead and a Dissenter. His business in London was to find a purchaser for the Plough Patent, and to hunt out the original grantees for the purpose of

⁸³ This charter, familiar to all students of Maine history, was dated 3 April, 1639-40, and is printed entire in Hazard's Historical Collections, i. 442-445. Williamson pronounces it a masterly document as drafted for colonial government (History of Maine, i. 275). It vested all appointments in the Lord Proprietor, with power to make laws, establish courts (with appeal to himself,) raise troops, build cities, levy a revenue from customs, establish a navy, exercise admiralty jurisdiction, and to select his emigrants by such exclusion as he thought necessary.

⁸⁴ Gorges, Briefe Narration, 46.

⁸⁵ Willis, History of Portland, 74.

arranging terms and procuring assignment. The latter work apparently presented no difficulties, for the speculation of the Familists had been a financial and social failure, and he could rightly conclude that they would be ready to part with their useless privileges.

To investors Cleeve probably represented the validity of the patent, the value of the territory with its six thriving settlements,⁸⁶ the ripening desire of the planters for a change of the proprietary to those in full sympathy with the parliamentary party,⁸⁷ the small outlay, and the sure return of rents. The gentleman who believed all this, and purchased on that recommendation, was Colonel Alexander Rigby, then deeply engaged in the business of sequestrating the estates of Royalists.

The sale was consummated 7 April, 1643, when John Dye, John Smith, Thomas Jupe, and other survivors of Bryan Bincks and others, transferred to Alexander Rigby "all their estate, interest and claim" in the Province of Ligoniam.⁸⁸ The name of the new province, and by whom suggested, is a curious problem, as the only plausible theory of its adoption that occurs to the writer is to suppose it to be derived from the family name of the mother of Sir Ferdinando Gorges, viz., Cicely, daughter of William *Lygon*, of Madresfield court, Great Malvern, Worcestershire, whose arms are depicted at the head of this article.⁸⁹ But why Rigby and Cleeve should desire to perpetuate the name thus connected with their

⁸⁶ Westcustogo (Yarmouth), Casco (Portland), Black Point and Spurwink (Scarboro'), Richmond Island, and Saco.

⁸⁷ Cleeve was as violently opposed by some of his own neighbors in this scheme as he was by the officials of Gorges in other towns, notably Arthur Mackworth.

⁸⁸ Rigby Mss., Pejepscot Papers, 8 a. For some unknown reason only two of the eight patentees put their names to the transfer when the sale was accomplished (Winthrop, Journal, ij. 313).

⁸⁹ The Lygon family is extinct in the male line, and is at present represented in the female by the Earl of Beauchamp, who kindly furnished the writer with an engraving of the Lygon arms, from which the illustration is engraved. The arms as now borne by him are augmented by supporters.

political rival and proprietary claimant, is difficult to explain. Nor is this the only strange circumstance connected with the affair, for it is not easy to understand what were the motives which could have induced Rigby to maintain an intimate association with such an unscrupulous demagogue as George Cleeve was generally thought to be, for he had earned in the local courts of Maine an unsavory reputation as a neighbor and citizen. Governor Edward Winslow of Plymouth Colony commenting on this strange alliance in a letter to Governor Winthrop of Massachusetts, writes: "As for Mr. Rigby, if he be so honest good & hopefull an instrument as report passeth on him, he hath good hap to light on two of the arrantest knaues that ever trod on new English shore to be his agents east & west, as Cleves & Morton."⁹⁰

The reasonable explanation is that Rigby was ignorant of the character of this political agitator, and only purchased the patent as a speculation, lending his name, money and reputation to the venture for what it would bring. Thus equipped with documentary, financial and political endorsement, Cleeve returned to Maine in the early part of the fall of 1643, with a commission from Colonel Rigby as Deputy President, and a list of subordinate nominations for administrative officers composed of the associates of the now exalted adventurer. Discounting the opposition he expected to encounter from the lawfully established government of Gorges, he sought to enlist the moral support of Massachusetts Bay corporation, and addressed them to that effect, but the wary statesmen of Boston declined to lend themselves to his scheme, and in General court, 7 September, 1643, voted that it was "not meete to write to

⁹⁰ Letter, 11 Feb., 1643-4, printed in 4 Mass. Hist. Coll. vi. 175. Thomas Morton is referred to by Winslow. He was the "roysterer of Merry Mount," who gave the Pilgrims so much trouble.

y^o eastward about M^r. Cleaves, according to his desire."⁹¹ But this rebuff did not deter the persistent plotter, and early in 1643-4 he sent his partner, Richard Tucker, to get signatures to a petition to the Massachusetts government seeking a mutual alliance for protection against the "ffrench, Indians, and other enemies," and asking to be admitted to the confederation of the United Colonies. Vines says that the subscribers whom he persuaded to sign were generally lawless persons, "a great part of them bound over to our Courts for notorious offences, and therefore are easily persuaded to set there handes to any thing that may be preiudiciall to a peaceable government."⁹² This plan also miscarried, for "the Governour [Winthrop] returned answer that he must first advise with the commissioners of the United Colonies. And beside, they had an order

⁹¹ Mass. Coll. Rec. ii. 41. Governor Winthrop wrote an unofficial letter to Deputy Governor Vines in behalf of Rigby. The Bay people were in sympathy with Cleeve, but did not care to show it.

⁹² 4 Mass. Hist. Coll. vii. 346, 351. Vines gives an interesting account of the methods of Cleeve, and his entire letter ought to be read in full, but we can only make room for a short extract, by which it will be seen that he was yet busy with his tongue against Gorges, who had suffered from his calumnies several years before: "2 dayes before our Court [Cleeve] tooke a voiage into the bay, and all the way as he went from Pascataquack to Boston, he reported he was goeing for ayde against me, for that I had threatened him and his authority, to beate him out of this Province. By this false report and many other the like I am held an enemy to iustice and piety. I proffesse vnto you ingenuously, I never threatened him directly nor indirectly, neither haue I seen him since he camme out of England. I haue suffered him to passe quietly through our plantation, and to lodge in it, although I haue bin informed that he was then plotting against me. I am troubled at these seditious proceedings; and much more at his most notorious scandalls of Sir fferdinando Gorges, a man for his age and integrity worthy of much honor; him he brandes with the foule name of traytor by circumstance, in reporting that he hath counterfeited the king's broade seale, (if he haue any patent for the Province of Mayne) ffor, says he, I haue serched all the Courts of Record, and can finde noe such grant. How could he haue given that graue Knight a deeper wound in his reputation, the which I know is more deare to him then all the wealth in America; he likewise mavnetaynes his false report of his death, fflight into Walles, not with standing a letter dated the 25th of I ber last, from a marchant of London, of very good credit, and brought in Mr. Payne his ship, which letter imports Sir Fferd: Gorges his good health with the restauration of his possessions agayne."

not to receive any but such as were in a church way.”⁹³ Nothing came of it, and the freemen of Maine soon witnessed his bold attempt to set up an independent civil authority within the established jurisdiction of their province. The confusion that ensued was more disastrous than the temporary success of a smart politician over a high-minded opponent such as Richard Vines showed himself to be throughout, for the new government set up a claim to propriety in the lands, as well as sovereignty, and titles held from Gorges would be worthless if Cleeve succeeded. The tenure of land for the struggling planters was at the mercy of this agitator, and those who were wise in their generation foresaw the issue made their peace with him, and repurchased their homes once paid for, or gave the rentals to the Rigby regime.⁹⁴

Deputy President Cleeve called his first court to meet at Casco 25 March, 1643-4, and proclaimed his authority, “extending his government from Sackadehock to Cape Porpus, being about 13 leagues in length,” and made nominations of “commissioners, and a colonell generall.”⁹⁵ Prior to its assembling, Cleeve, as if to appear magnanimous, inspired a letter to Vines containing an offer to try the rights of the Gorges and Rigby governments before the magistrates of Massachusetts.⁹⁶ This impudent proposal was rightly estimated by Vines, who said: “This I know to be Cleeves his

⁹³ Winthrop, Journal ii, 155.

⁹⁴ Rigby confirmed to Cleeve his valuable grant of Machigonne (Casco) which Gorges had granted to him in 1637. Numerous instances of repurchase are recorded in the York County Registry of Deeds.

⁹⁵ 4 Mass. Hist. Coll. vii. 346.

⁹⁶ The bearer was partner Tucker whom Cleeve employed for such unsavory political work until he had no further use for him. Vines arrested Tucker for delivering this letter, and bound him over for appearance at Saco, on account of his “abusive language,” and in default he was imprisoned one night, but the next day gave his personal recognizance. Winthrop, Journal ii. 155; comp. 4 Mass. Hist. Coll. vii. 350.

plott to bring vs all into a distraction, and a mutiny, for he knowes that neither my selfe, nor any other of Sir Fferdinando Gorges Comissioners, haue power to try his title either of land or power and authority for goverment here, without his authority soe to doe, neither doe I beleieve that your worship and the rest of your honored Court will meddle with any tryall of this nature."⁹⁷

In the summer of 1644, after his disastrous campaign at Lathom House, Colonel Rigby retired from the public gaze and parliamentary strife, and we are told that he "imployes much time & expends considerable sums of money in furthering & promoting plantations there & he drew up severall constitutions for the well governing of the Inhabitants of [the] s^d Province [of Lygonia] which were about the 30th July, 1644 confirmed by the Earle of Warwick & others the Commissioners appointed by Parliament for Foreign Plantations."⁹⁸

The recruits which each leader mustered to his standard were naturally drawn from certain geographical sections, and Cleeve's supporters were almost wholly composed of residents of Casco, although he pretended that his authority extended to Cape Porpus. Vines had the support of the leading men in Saco, Scarboro, and

⁹⁷ Letter to Winthrop 29 Jan'y 1643-4 in 4 Mass. Hist. Coll. vii. 350. The disputed matter could have been settled amicably, without doubt, if any other man than Cleeve had power to negotiate; for Gorges was ever anxious to promote peaceful colonization at any sacrifice. Deputy-Governor Vines voices this well-known sentiment in a letter, dated 9 Jan., 1643, to Gov. John Winthrop of Massachusetts. After acknowledging the title of Rigby to the soil, but not the jurisdiction of it, he says: "Yet I did ever and doe intend whensoever Mr. Rigby shall send over people to lett them settle peaceably, to ayde and assist them to the best of my power, without questioning of *meum et tuum*; ffor this I know, if Sir Fferdinando Gorges and Mr. Rigby meete, all matters will be quietly ended, if there be no incendiaries here" (4 Mass. Hist. Coll. vii. 346). The leading men of both parties were ever ready to acknowledge the high character of Rigby, as appears by their letters; but all the difficulty arose from the worthlessness of his agent.

⁹⁸ Rigby Mss. Pejepsco Papers 8 a. Cleeve in a letter to Winthrop 1 May, 1647, speaks of our "confirmed constitutions." (4 Mass. Hist. Coll. vii. 376.)

the settlements westward to the Piscataqua, and even in Casco itself he was efficiently aided by Arthur Mackworth and some others, who stood up manfully for the ancient government of Gorges. Mackworth's opposition so exasperated Cleeve that it seems probable that he intended to resort to personal violence, or in some way to place him or his property in jeopardy, and the General court of the Gorges government formally pledged to Mackworth and his associates protection to themselves and their estates from injury at the hands of Cleeve and his confederates.⁹⁹ In the adjoining town of Scarboro the leading opponent of Cleeve was Rev. Robert Jordan, whom he designates as "a minister of antichrist," and a "prelaticall counsellar," when venting his feelings to Winthrop,¹⁰⁰ while another townsman of Scarboro, Henry Jocelyn, was also found in the opposition to the new Deputy President. Thus far not much had been accomplished by the Rigby government except among the sparse settlements of Casco bay, and affairs drifted along in uncertainty through 1643 and 1644, being somewhat enlivened by an attempt of Cleeve to have Vines and Edward Godfrey tried by a Parliamentary commission composed of Winthrop and others, which he procured by petition through the influence of Rigby, but it came to naught for the present.¹⁰¹ Knowing the unscrupulous character of Cleeve we shall not be surprised to learn that in his desperation he had forged the names of nine planters as signers of the petition and charges against Vines and Godfrey, but it was not till the fall of 1645 that it was definitely discovered, when these nine

⁹⁹ York County Court Records, October, 1645.

¹⁰⁰ Letter, Cleeve to Winthrop, 27 Feb. 1643-4 (4 Mass. Hist. Coll. vii. 363-5). As an evidence that this question could not be considered on its legal merits, we find Cleeve in this letter inciting the religious and political prejudices of Winthrop against Jordan by reporting that the pugnacious Scarboro minister was opposed to the Parliamentary party in England, and the Puritans in this country.

¹⁰¹ Letter, Cleeve to Winthrop, 2 February, 1643-4. The commissioners named were as far as known Winthrop, Mackworth and Boad.

persons went into court and testified under oath that they never saw nor heard of the petition and charges, and "could not testify any such things as are exhibited in the said petition."¹⁰² Parson Jenner asked Cleeve why he put the names of these men to the document without their knowledge, and the forger confessed naïvely, as if convinced as well of the credulity of his religious friend as of his dupes elsewhere, that "the Parliament bid him doe it"! Owing to the conflict of authority nothing was done to the forger, who was still busy plotting to destroy the Gorges authority. Rigby was evidently becoming impatient, and in the spring of 1645 wrote to Cleeve "to proceed in the government of Ligonía," and once more Winthrop and the Massachusetts people were importuned to write to Vines "to deter them from their illegal proceedings, and a letter to our people of Ligonía to advise and encourage them."¹⁰³ This mournful appeal produced no results, and the Gorges administration proceeded to elect Vines as Deputy-Governor, with the succession to Henry Jocelyn if the former should leave the province. This contingency soon occurred, and Vines, probably weary of the long and profitless strife which retarded the material interests and prosperity of Maine so seriously, emigrated to Barbadoes, and

¹⁰² The names of the planters were Henry Watts, John Wilkinson, Andrew Alger, Arthur Mackworth, William Hammond, John West, Robert Wadleigh, Peter Weare and Francis Robinson. Vines wrote to Winthrop 4 August, 1645, about this affair, and explains the methods of Cleeve: "I likewise thinke I had some hard measure in the commission that came from the Parliament, for that I did write to you that Mr. Hen: Boade, and Mr. Mackworth (who were 2 of the comissioners) might haue had the Commission to haue examined the most parte of the petitioners against me: it was refused, and I never had answeere of my letter: but you sent a note vnder your hand to Mr. Mackworth, to examine such as Cleeue should bring vnto him, which he refusing to doe without the commission, then Cleeue giues 2 men ther oaths that all was true containyd in a paper, there presented ready written, which paper was sent to yourselfe, to be returned to Parliament, to answere the Interrogatories that were against me. That Cleeue hath thus proceeded against me I can prove by Mr. Arthur Mackworth his oath." [4 Mass. Hist. Coll. vii. 352-3.]

¹⁰³ Letter, 3 July 1645 (4 Mass. Hist. Coll. vii. 366-7). Cleeve sent Rigby's letter to Winthrop enclosed in his that he might "see how the Parliament approves of his proceeding."

Jocelyn assumed his office. The new Deputy-Governor was as resolute in his opposition to the pretensions of Cleeve as his predecessor, and under his lead in general assembly, at the Quarter Sessions, late in 1645, it was voted "forthwith to apprehend Cleaves & Tuckar & to subdue the rest vnto their obedience," and to accomplish that end they "fitted them selues with bilbowes & ordained Captain Bonython Colonel General" of their forces.¹⁰⁴ At the news of this action Cleeve at once turned to Winthrop in great trepidation, and summoning his counsellors, Royall, Tucker and Purchas, sent a letter full of the tenderest pathos to their Boston friends. He professed that they would all be murdered unless help was vouchsafed, and begged that the Massachusetts magistrates would send "some of your men to stand by vs."¹⁰⁵ Cleeve had called his assembly to meet at Casco the last day of March, 1646, and at this meeting it was expected by Cleeve that the bloodthirsty militia in the service of the Gorges officials would "make this the beginning of a sivill warre, which they intend," he wrote to Win-

¹⁰⁴ 4 Mass. Hist. Coll. vii. 357. Letter of Jenner to Winthrop, 28 Mch. 1645-6.

¹⁰⁵ 4 Mass. Hist. Coll. vii. 371-373. Cleeve in this letter gives some interesting items concerning the proceedings of the Gorges officials: "The heads of this league are Mr. Henry Jocelyn, Mr. Arthur Mackworth, & Ffrances Robinson, which Mr. Mackworth did willingly submit to Mr. Rigbys authority formerly, and did subscribe to his constitucions, & received a Commission from him to be an Assistant & acted by it till he was drawne away by the perswasion of Mr. Vines and Mr. Jorden, (one vnworthily called a minister of Christ). From these two men all this evill doth principally flowe, for though Mr. Vines be now gone, yet he hath presumed to depute Mr. Jocelyn in his stead, although he never had any Commission soe to doe; yet he, by the councill of Mr. Jorden, hath taken vpon him, as a lawfull Magistrate to come into Casco Bay & hath gone from house to house, being accompanied with Ffrances Robinson & Arthur Mackworth & have discouraged the people of Ligonias, & drawne them offe, some by fraude & some by force, from their subjection to Mr. Rigbys lawfull authority; contrary to their oathes freely and willingly taken, a true copy whereof is herewith sent. And have alsoe presumed to take deposicions of severall people to accuse some of vs falsely and slanderously with treason & other crimes, whereof we are innocent; intending vpon those grounds to deale with vs at their pleasure, and thus we are all destined by them vnto destruction, if the Lord prevent not their wicked plotts against vs."

throp, "to blowe abroad into all parts of this land, & give it out there be many amongst you & elsewhere, that doe but looke for an opportunity to declare themselves cavileers & for the king, as if you or wee were the Kings enimies." But the wise Governor of Massachusetts had heard Cleeve cry "wolf" many times before, and he resolved to let the carnage proceed, contenting himself with sending instead of troops a letter addressed to both factions.¹⁰⁶ The fatal day arrived. "Mr. Jocelyne & his company came armed with gunes & swords, or both: Mr. Cleeve & his company vnarmed," writes Rev. Thomas Jenner, from whose letter, describing the events of the day, we shall quote. "After sermon was ended, Mr. Joselyne & his company separated themselves about a furlong from Mr. Cleeve & his company." The first exchange of firing consisted of a paper pellet. "They sent vnto Mr. Cleeve," says Jenner, "a demand in writing (with all their hands subscribed,) to have a sight of his originals, promising a safe returne. After some hesitaton & demur, Mr. Cleeve, vpon condition they would come together into one place, promised to gratifie them. The which being publickely read and scanned," they separated for the day, with no casualties, "and the next morneing Mr. Jocelyne & his company deliuered vnto Mr. Cleeve in writinge, with all their hands subscribed, a Protest against Mr. Righbies authority of gouernment, that is to say, in any part of that bound or tract of land which Mr. Cleeve doth challenge by vertue of his Patent, viz., from Sacadehock to Cape Por-

¹⁰⁶ Winthrop says in this reply: "the differences grewe vpon extent of some Patents & right of Jurisdiction wherein Mr. Rigby & others in E(ngland) are interested & lettres have been sent to them from both partyes, & answer is expected by the first return, therevpon we have thought it expedient to perswade you bothe to forbear any further contention in the meane tyme, & have written to Mr. Jocelin &c to that ende, who having desired our advice, we may presume they will observe the same, & will not attempt any acts of hostility against you; and we doubt not but you wilbe perswaded to the same; which we judge will conduce most to Mr. Rigbys right, and your owne & your neighbours peace." [Winthrop Papers.]

pus. They furthermore required and injoined Mr. Cleave & his company to submit themselues vnto the authority & gouernment derived from Sir Fferdinando Gorges, & that for the future they addresse themselues vnto their Courts. Lastly they demanded of Mr. Cleeve a friendly triall concerneing the bounds afore sayd, ffor Mr. Jocelyne would that Mr. Cleeve his *terminus a quo* should begin 60 miles vp chenebec River, because the Patent saith it must be nere two Ilands which are about 60 miles from the sea. Ffor answer to it the Patent also saith, the tract of land of 40 miles square must be on the south side of Sacadehock River.”

As a result of the offer of Joscelyn and his associates to submit the case to the arbitration of the Massachusetts magistrates, “Mr. Cleeve readily accepted their offer of a triall at Boston,” and both principals bound themselves in a bond of £500 to personally appear at Boston at the May term of the General Court, “then & ther to impleade each other.”¹⁰⁷ Thus ended the “sivill warre” which Cleeve predicted would kindle all the “cavileers” of New England, and when Winthrop read Jenner’s account of the meeting of the sanguinary factions he must have been reminded of the doughty King of Yvetot, of whom it was said:

“Each year he called his fighting men,
And marched a league from home, and then
Marched back again.”

They met in Boston at the appointed time. George Cleeve and Richard Tucker appeared for Rigby, while Henry Joscelyn and

¹⁰⁷ 4 Mass. Hist. Coll. vii. 359-361. Letter dated 6 April, 1646. “I must needs acknowledge to their high commendation, that both Mr. Jocelyne & Mr. Cleeve carried on the interaction very friendly, like men of wisdome & prudence, not giueing one misbeholding word each together, such was the power of Gods Holy Word aweing their hearts. Your letters were also very valide & gratefully accepted on both parties. Thus after two or three daies agitation, each man departed very peaceably to his owne home.”

Francis Robinson¹⁰⁸ were counsel for Gorges. "Some of the magistrates," writes Winthrop, "advised not to intermeddle in it, seeing it was not within our jurisdiction, and that the agents had no commission to bind the interest of the gentlemen in England. Others (and the most) thought fit to give them a trial both for that it was a usual practice in Europe for two states being at odds to make a third judge between them, and though the principal parties could not be bound by any sentence of this court, (for having no jurisdiction, we had no coercion, and therefore whatever we should conclude was but advice,) yet it might settle peace for the present."¹⁰⁹ They presented their documentary evidences, but the contradictory character of the testimony "so perplexed the jury as they could find for neither, but gave in a *non liquet*, and urged them to await the decision of the authorities in England."¹¹⁰

The distractions of the real Civil war in England served to delay a settlement of this question for nine months more, but in March, 1647, the Earl of Warwick and the Commissioners for Foreign Plantations, having heard the case stated by Colonel Rigby and John Gorges, heir of Sir Ferdinando, gave judgment 27 March, in favor of Rigby, to the full extent of his claims.¹¹¹ The long fight

¹⁰⁸ Winthrop says "Mr. Roberts," but I think it must be an error for Robinson, because Francis Robinson was one of the "heads" of the Gorges "league," according to Cleeve.

¹⁰⁹ Winthrop, Journal ii. 257.

¹¹⁰ Ibid. "They persuaded the parties to live in peace, etc., till the matter might be determined by authority out of England."

¹¹¹ Rigby Mss. Pejepsco Papers 8 a. By this decision the Kennebunk River was made the dividing line of Lygonia and Maine, "which brought it to the seaside; whereas the words of the grant laid it 20 miles" (Hubbard, 510). The old province of Gorges was now bisected, and but three settlements were left to the lord-proprietor, who had been a laborer in the work of colonization for forty years. Most unwelcome of all, it brought Jocelyn of Black Point, and Jordan of Spurwink, all officials and partisans of Gorges, within the jurisdiction of Cleeves. Jocelyn and Jordan remained in the province to fight their ancient enemy till his death in 1662. The provincial limits as then defined now include the whole of Cumberland and portions of York, Oxford, Androscoggin,

was ended, and the vanquished submitted with as good grace as they could. Cleeve was now chief magistrate of the territory between the Sagadahoc and Cape Porpus rivers, and proceeded to put his province in working order. The remainder of the old Province of Maine left to Gorges was reorganized, and two years later formed itself into an independent government after the death of the aged lord proprietor.

The Province of Lygonia was now an accomplished fact, *de jure et de facto*, and henceforth quiet and order once more prevailed in Maine. It will not be profitable to follow the fortunes of this province further, for the evidences of its continuity are not available, and the few extant documentary witnesses of its existence have been preserved by the vigilance of private interests rather than the care of public officials. A history of it would be a history of Eastern Maine. The old opponents of Cleeve accepted the inevitable, and in 1648 we find Jocelyn and Jordan signing official documents with Cleeve as Assistants of the Province of Lygonia. As a province it was quietly performing its legitimate functions of government for a small population of perhaps a thousand souls from the settlements of its boundaries in 1647 to the death of Baron Rigby three years later. All the public business was transacted by a General Assembly, and the Deputy-President attended to the transfers and leases of property, collection of rents, etc., in the name of Colonel Alexander Rigby, President and Proprietor.

The decease of Rigby in August, 1650, was the occasion of an attempt on the part of some of the principal planters to form an

and Sagadahoc counties, the chief city of the State, Portland, three large cities, and perhaps fifty towns and villages containing a population of about 100,000 persons. It would include the oldest and wealthiest portion of the State of Maine. There was a good deal of Puritan politics in this decision, as Winthrop considered it a "favorable interpretation" of the terms of the patent. [Journal ii. 320.]

independent government, as the freemen of the Province of Maine had already done in July, 1649, after the death of Gorges, the distance from England and the distraction of the times being favorable to such an undertaking. This was undoubtedly a scheme to overthrow Cleeve, as he was never a popular man, and the leaders of the movement were always known to be his avowed enemies. The Deputy-President repaired to England, informed the heir to the title of the state of affairs, and under date of 19 July, 1652, Edward Rigby, loyal as his father to Cleeve, writes from London to the refractory officers in the following severe terms:

“Heartily, Gentlemen, do I regret to learn, that my father’s kindness and generosity towards you, and his confidence in your probity, should be repaid in a manner so entirely prejudicial to his interests and mine. Again let me tell you, that if after receiving this notice you do not lay aside your private and secret combinations, and abstain from unlawful measures, and unanimously join with me, my deputy, and other officers in the plans devised to promote the peace and good of the Province, I shall adopt and pursue such a course towards you, as will enforce submission, and effectually rectify all your misdeeds and wrongs.”

Indeed it would seem that Edward Rigby himself had some intentions of crossing the Atlantic in an official capacity under the patronage of the Lord Protector Cromwell, for Roger Williams, under date of 15 February, 1654, wrote to John Winthrop, jun., Governor of Connecticut, that “we haue a sound of a Gen: Governor [of New England], & that Baron Rigby his son is the man.”¹¹²

The rumor was not, however, confirmed by his presence. In January, 1653, he was bringing his troubles in connection with his colony before the Council of State.¹¹³ At length the Council lis-

¹¹² 4 Mass. Hist. Coll. vi. 260.

¹¹³ Proceeding of Council of State, Calendar pp. 83, 92.

tened to the complaint of his wrongs. Rigby wished the Council to send for the persons complained of, or to have a commission issued for hearing the case there. The Council thought the latter course should be pursued, and Rigby was to be asked to give in the names of some persons, out of whom the Council might choose commissioners.¹¹⁴ The last that we hear of Edward Rigby and Lygonia is in a scrap of manuscript dated 19 April, 1655, in which he prays for the settlement of his plantation in New England, and the petition was referred to the Committee for Plantations, 11 Jan., 1655-6,¹¹⁵ whence it never emerged probably, as the tide of popular favor was then beginning to turn from the Commonwealth to the exiled monarch across the straits of Dover.

This ends our knowledge of the history of the province. The close of its life is thus summed up by a local annalist: "How the government was conducted after this we have no means of ascertaining; Cleeve did not return until after February 20, 1653; and although the majority of the inhabitants of Cape Porpus and Saco submitted to the jurisdiction of Massachusetts in 1652, he contrived to keep up some show of power in the eastern part of the province until the submission of the remaining inhabitants in 1658." Thus after a turbulent infancy of three years and an almost pulseless existence of thirteen years, the Province of Lygonia, by submission of its freemen 13 July, 1658, to the authority of the Province of Massachusetts, completed its short but interesting career.¹¹⁶

¹¹⁴ *Ibid.*, p. 129.

¹¹⁵ Colonial Papers in Public Record office. The original petition is not on file, only the entry of its receipt remaining in a volume of similar notes. The Petition states that Lygonia was granted by patent to his father by the late King.

¹¹⁶ In 1652 Edward Rigby joined with the heirs of Gorges and other patentees of Maine and New Hampshire, in a petition to the Rump Parliament, for relief from the usurpation of Massachusetts, but nothing came of it (Colonial Papers, xiiij. 79).

It had been decreed an existence by a specious interpretation of its charter, and in turn it gave way to another similar illogical construction of the grant to Massachusetts, who claimed the entire Province of Maine, Gorges and Rigby combined, and their point was carried by persistent plotting within and without.¹¹⁷

¹¹⁷ The last that we hear of the Rigby claim is in 1686, when George Turfrey, as attorney for Edward Rigby, grandson of the colonel, filed a claim in behalf of the heirs in the secretary's office, and the petition is now among the Mss. of the Maine Historical Society, numbered S A filed with the Pejepscot Papers.









LIBRARY OF CONGRESS



0 014 041 892 4

